October 24, 2005 49145 $3.95 U.S., $4.95 Canadian

SPECIAL EDUCATION ISSUE

The DeLay Indictment: Byron York ◆ Stephen Spruiell

NATIONAL REVIEW

DIRECTION

SOMETIMES IT'S ONLY WHEN YOU'VE RUN AGROUND THAT YOU REALIZE YOU NEEDED A RUDDER

DAVID FRUM
JOHN O'SULLIVAN
RAMESH PONNURU
THE EDITORS

ON THE GOP ADRIFT

#BXNCMYG**********AUTO** 5-DIGIT 94301
#94301UZZ555BY003# 041006 R.A NTRU 694
RON UNZ P093
555 BRYANT ST # 371
PALO ALTO CA 94301-1704

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The big story isn't our **new web site.**

IT'S THE **NEW THINKING** YOU'LL FIND THERE.

Health Questions?
— patients can ask our medical team for help in finding answers.

Partnership for Prescription Assistance
— we're helping Americans in need get free or nearly free medicines.

Innovation.org
— learn how research and development of new medicines is saving lives.

PhRMA
New Medicines. New Hope.
Disease is our enemy. Working to save lives is our job.
Search
Español | Members Area
About PhRMA
Medicines in Development
Patient Assistance Programs
Publications
News Room
Innovation
Education
Safety
Issues
IN THE NEWS
America's Pharmaceutical Companies Increase Relief Efforts; More Than $120 Million Raised So Far
09/22/2005
America's pharmaceutical research companies continue to send comprehensive disaster aid packages to public and private relief organizations to help lessen the suffering of survivors and to stem a looming public health crisis in the Gulf Coast region following Hurricane Katrina.
> Click here to read more
Drug Inflation Lower Than Overall Medical Price Increases, According to New Study
08/16/2005
Prescription drug price increases have been lower than overall medical price increases from April 2004 to April 2005, and recent papers show that published reports citing dramatically increasing prescription drug cost trends are seriously flawed...
> Click here to read more
America's Pharmaceutical Industry Announces Guidelines on Direct-to-Consumer Advertising
08/02/2005
In a major policy speech before the American Legislative Exchange Council's 32nd Annual Meeting this evening, PhRMA President and CEO Billy Tauzin will announce the pharmaceutical industry's "Guiding Principles" on direct-to-consumer advertising.
> Click here to read more
> Click here to read all news stories
Straight Talk from PhRMA President Billy Tauzin
'Healthcare Now' Updates
PhRMA radio & tv
Larry Lucas Reports
Medicare Rx coverage
Sign up to receive news alerts
you@youremail.com
Enter
Privacy Policy
PhRMA Press Releases
Health Questions? Ask our team, Dr. Paul and Nurse Brigner
Need Help Paying For Your Medicines?
Learn about the Partnership for Prescription Assistance.
Did You Know?
2004
Innovation.org
Learn how Joey is beating leukemia.
www.buysafedrugs.info
www.clinicalstudyresults.org
http://international.phrma.org
www.phrmafoundation.org

Hurricane Relief
— our member companies have donated more than $120 million to Hurricane Katrina relief efforts.

Healthcare Now
— our weekly radio series is reaching 15 million listeners nationwide with important information on health and medicines.

New DTC Guidelines
— we want our advertising to better educate patients about the risks, as well as the benefits, of new medicines.

New Thinking. New Programs. New Leadership. We're not just launching our new web site, we're launching a new way of doing business. Learn about the Partnership for Prescription Assistance, PhRMA's new DTC guidelines, Innovation.org, our Healthcare Now radio series, Buysafedrugs.info and much more. Discover what's new at **www.phrma.org** y en español en **www.phrma.org/espanol.**

PhRMA
AMERICA'S PHARMACEUTICAL COMPANIES

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

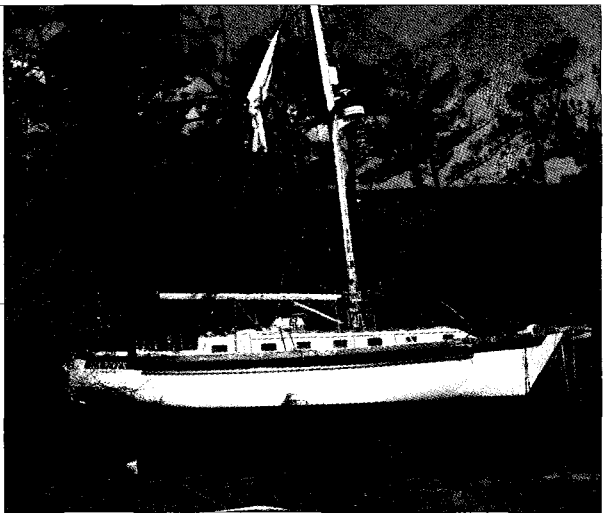
NATIONAL REVIEW

OCTOBER 24, 2005 VOL. LVII, NO. 19

www.nationalreview.com

ON THE COVER

Frum, O'Sullivan, Ponnuru, and the Editors discuss a president and a party that have veered off-course.



ARTICLES

'Personnel Is Policy' *by David Frum*
Sadly, true.

Not Measuring Up *by John O'Sullivan*
Dismal grades on three tests.

20 Ronnie vs. Tom *by Byron York*
The real fight behind the DeLay case.

24 Career Criminalizer *by Stephen Spruiell*
What the Earle of Austin has done.

26 How Not to Be Poor *by Robert Rector*
When will this country face the facts about marriage and families?

29 Hold the Self-Congratulation *by Jonah Goldberg*
The media weren't as hot during Katrina as they think.

30 The Meaning of Beheading *by Theodore Dalrymple*
All too sad to explain.

Spendaholics *by Ramesh Ponnuru*
How we have reached this curious pass.

35 Katrina: The Untold Story *by Lou Dolinar*
People rescued tens of thousands of their fellow citizens.

NR SPECIAL: EDUCATION 2005

40 Pariahs, Martyrs—and Fighters Back *by John J. Miller*
Conservative professors in America.

45 What I Have Seen *by Victor Davis Hanson*
Wisdom from a higher-ed career.

49 Five Myths . . . *by Jay P. Greene & Marcus A. Winters*
. . . crying out for debunking.

BOOKS, ARTS & MANNERS

54 The U.N. Problem—*Jay Nordlinger* . . . The Future of the United Nations: Understanding the Past to Chart a Way Forward, *by Joshua Muravchik*

56 Boiling the Frog—*Edward Whelan* . . . Radicals in Robes: Why Extreme Right-Wing Courts Are Wrong for America, *by Cass R. Sunstein*

61 Boots on the Ground—*Mackubin Thomas Owens* . . . No True Glory: A Frontline Account of the Battle for Fallujah, *by Bing West*

63 Big Cheeses—*John Derbyshire* . . . La Belle France: A Short History, *by Alistair Horne*

64 Grand Alliance—*David Pryce-Jones* . . . Churchill and America, *by Martin Gilbert*

66 Shelf Life: Distant Echoes—Michael Potemra tours the tomes, from Tripoli to Hillary.

67 City Desk: The Hunt Is On—Only black jeans will do for Richard Brookhiser.

SECTIONS

2 Letters
4 The Week
16 Notes & Asides
52 The Long View
53 Help!
57 Poetry
70 On the Right
72 Happy Warrior

COVER: *Reuters/Kyle Carter*

NATIONAL REVIEW (ISSN: 0028-0038) is published bi-weekly, except for the first issue in January, by NATIONAL REVIEW, Inc., at 215 Lexington Avenue, New York, N.Y. 10016. Periodicals postage paid at New York, N.Y., and additional mailing offices. ©National Review, Inc., 2005. Address all editorial mail, manuscripts, letters to the editor, etc., to Editorial Dept., NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016. Address all subscription mail orders, changes of address, undeliverable copies, etc., to NATIONAL REVIEW, Circulation Dept., P. O. Box 668, Mount Morris, Ill. 61054-0668; phone, 815-734-1232, Monday–Friday, 8:00 A.M. to 10:30 P.M. Eastern time. Adjustment requests should be accompanied by a current mailing label or facsimile. Direct classified advertising inquiries to: Classifieds Dept., NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016 or call 212-679-7330. POSTMASTER: Send address changes to NATIONAL REVIEW, Circulation Dept., P. O. Box 668, Mount Morris, Ill. 61054-0668. Printed in the U.S.A.

RATES: $59.00 a year (24 issues). Add $21.50 for Canada and other foreign subscriptions, per year. (All payments in U.S. currency.) The editors cannot be responsible for unsolicited manuscripts or artwork unless return postage or, better, a stamped self-addressed envelope is enclosed. Opinions expressed in signed articles do not necessarily represent the views of the editors.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NATIONAL REVIEW

October 24 issue; printed October 6

EDITOR
Richard Lowry

Senior Editors
Richard Brookhiser / Jeffrey Hart
Ramesh Ponnuru / David Pryce-Jones
Managing Editor Jay Nordlinger
Washington Editor Kate O'Beirne
Literary Editor Michael Potemra
Executive Editors
Dorothy McCartney / Christopher McEvoy
National Political Reporter John J. Miller
White House Correspondent Byron York
Deputy Managing Editor Alexander Rose
Art Director Luba Kolomytseva
Associate Editors
Anthony Dick / Alston B. Ramsay
Jason Lee Steorts

Research Director John J. Virtes
Executive Secretary Frances Bronson
Assistant to the Editor Erin Carden
Editorial Associates
Patricia B. Bozell / Elizabeth M. Fisher
Jane Buckley Smith
Contributing Editors
Robert H. Bork / John Derbyshire
W. H. von Dreele / Rod Dreher
David Frum / Roman Genn / Jim Geraghty
Jonah Goldberg / John Hillen
Florence King / Lawrence Kudlow
Mark R. Levin / Rob Long / Stephen Moore
David B. Rivkin Jr. / John Simon

NATIONAL REVIEW ONLINE
Editor Kathryn Jean Lopez
Webmaster Nathan Goulding

CHAIRMAN
Thomas L. Rhodes

EDITORS-AT-LARGE
Linda Bridges / Wm. F. Buckley Jr. (ret.) / John O'Sullivan

Contributors
Hadley Arkes / Baloo / Tom Bethell
James Bowman / Priscilla L. Buckley
Eliot A. Cohen / Brian Crozier
Dinesh D'Souza / M. Stanton Evans
Chester E. Finn Jr. / Neal B. Freeman
James Gardner / David Gelernter
George Gilder / Charles R. Kesler
John Kiley / James Jackson Kilpatrick
David Klinghoffer / Anthony Lejeune
D. Keith Mano / Richard John Neuhaus
Michael Novak / Alan Reynolds
William A. Rusher / Tracy Lee Simmons
Terry Teachout / Taki Theodoracopulos
Ralph de Toledano / Vin Weber
Timothy J. Wheeler

Associate Publisher Jack Fowler Sr.
Assistant to the Publisher Kevin Longstreet
Assistant to the Chairman Barbara Nowack
Chief Financial Officer James X. Kilbridge
Accounting Manager Galina Veygman
Accountant Irina Dynkevich
Treasurer Rose Flynn DeMaio
Business Services
Alex Batey / Russell Jenkins / Timothy Wolff
Circulation Director Theresa Maloney
Circulation Manager Jason Ng

WORLD WIDE WEB http://www.nationalreview.com
MAIN NUMBER 212-679-7330
SUBSCRIPTION INQUIRIES 815-734-1232
WASHINGTON OFFICE 202-543-9226

ADVERTISING SALES 212-679-7330
Executive Publisher Scott F. Budd
Advertising Representative Jim Fowler
Detroit Rep. Joseph J. Colucci 248-626-9918

PUBLISHER & CEO
Edward A. Capano

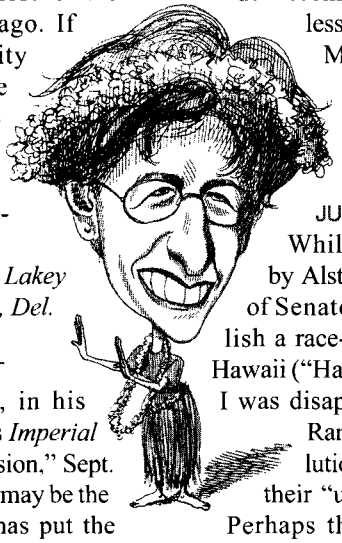
letters to the editor

A DIPLOMA ISN'T EVERYTHING

In Tamar Jacoby's "Debating Immigration" (Oct. 10), the suggestion is made that there is a great demand for unskilled labor owing to the fact that "less than 10 percent of American men drop out of high school" today.

After 29 years of teaching in public high schools, I can assure you that there is plenty of unskilled labor. More students are graduated today because the schools are lowering standards in order to artificially reduce dropout rates. We have created large numbers of high-school "graduates" whose skills and knowledge rival those of the dropouts of 40 years ago. If we tighten up eligibility for welfare benefits, there will be plenty of unskilled labor to take jobs that most Americans find unpleasant, or beneath them.

Stan Lakey
Wilmington, Del.



CRIME AND PUNISHMENT

Victor Davis Hanson, in his review of R. D. Kaplan's *Imperial Grunts* ("The Good Mission," Sept. 26), has committed what may be the eighth deadly sin: He has put the U.S. Marine Corps in Fort Bragg, N.C.

I have no idea whether it will be the C.O. of the 82nd Airborne Corps or the Commandant of the Marines who metes out the punishment. It may be both.

Otherwise, Mr. Hanson's review was quite good, as is Mr. Kaplan's book.

Charles R. Keadle
Cary, N.C.

LAND OF DREAMS

Rod Dreher, in "The City I Knew" (Sept. 26), vividly captures the essence of New Orleans. He also touches on why the city cannot be reconstructed as it was. New Orleans was a cultural phenomenon more than anything else: Its economic infrastructure has proven unable to assimilate much of the population, and corruption is a way of life among many who belong to the political class. It is silly to suppose that the billions upon billions of dollars that President Bush has earmarked for redevelopment will be spent efficiently, or will bring back things as they were. What it will do, no doubt, is line the pockets of the very same people who neglected to use funds for levee construction and other flood-prevention projects.

I learned to appreciate the unique culture and quirkiness of New Orleans through my family in the region, and during my years at Tulane. Unfortunately, it is that very same culture and quirkiness that will in all likelihood render reconstruction mostly meaningless. And that culture is what Mr. Dreher captures so perfectly.

Phil Monte
Tallahassee, Fla.

JUST TRY IT

While I was very impressed by Alston B. Ramsay's coverage of Senator Akaka's bill to establish a race-based elite ruling class in Hawaii ("Hawaii Five-no," Sept. 26), I was disappointed to note that Mr. Ramsay omitted a possible solution: Give native Hawaiians their "unified Hawaiian nation." Perhaps they will succeed where South Africa failed. That is, at least, what Governor Lingle seems to think.

In all likelihood, the resulting disaster would serve as an indisputable display of the dangers of separatist multiculturalism. Ideally, it could also provide us with a new colloquialism: "Did you hear Al Sharpton wants to pull a Lingle?"

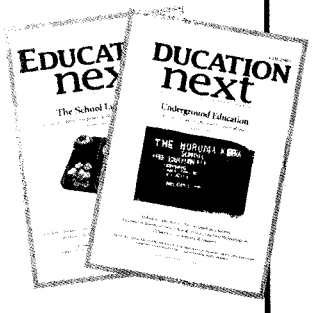
G. Rollo Begley
Watertown, N.Y.

NATIONAL REVIEW encourages letters to the editor. Letters should be submitted by e-mail to letters@nationalreview.com or by fax to (212) 849-2835 or by mail to: Letters Editor, NATIONAL REVIEW, 215 Lexington Avenue, New York, N.Y. 10016. Please include your full name, address, and daytime phone number. Letters will be edited for space and clarity.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Failing High Schools

EDUCATION NEXT
A JOURNAL OF OPINION AND RESEARCH



SUBSCRIBE
Receive four quarterly issues at the rate of $20.

FREE ISSUE
Receive a complimentary issue of the latest Education Next without obligation.

Call 800.935.2882 or visit www.educationnext.org

Among the "talented tenth," those in the top 10 percent of test takers, reading scores have dropped four points since 1971 and math scores have not budged since first measured in 1978. So say the latest (2004) results from the National Assessment of Educational Progress (NAEP), the nation's report card.

At the other end of the scale, dropout rates have actually increased since 1990, rising to 30 percent of all seventeen-year-olds. Among African Americans the dropout rate is running somewhere between 50 and 60 percent, a sad fact that remains one of the best-kept secrets in American education. Because few people know the facts, in a recently issued book, Michael Dyson scolds Bill Cosby for (accurately) lamenting the fact that only about half of African Americans graduate from high school. Dyson "corrected" him, saying the dropout rate is only 17 percent, an inaccuracy that earned Dyson warm praise from a *New York Times* book reviewer.

The reviewer's error only shows how successful the public education cartel has been in misleading the public. To hide actual dropout rates, most school districts report as dropouts only those who entered the year as seniors but did not remain in school until the end of that year. All other dropouts over the preceding three years—and all the summers in between, when most dropping out actually occurs—are statistically ignored.

The U.S. Department of Education has long been complicit in fostering that misperception. To his credit, Russ Whitehurst, head of the department's Institute of Education Sciences, is now actively working to remedy the situation, as are the nation's governors, who are now embarked on a Herculean effort to develop a multistate common definition and gauge of high school completion.

Getting the facts right will be a start. But we then need to do something about it.

We currently base our high school policies on two contradictory assumptions: (1)that adolescents are responsible enough that they can choose their own curriculum from the shopping mall of choices available;(2) that adolescents should not be held responsible for their performances. Testing expectations should be minimal, and graduation requirements should be easily achievable.

No wonder the United States is desperately searching for ways to import talent from abroad. If we are to regain our educational strength in a world where other nations are passing us by, we need to hold students responsible for more than just selecting the courses they want to take. To graduate from high school, students should be expected to pass, at as high a level as they can, a challenging, substantive examination in a variety of subjects that allow them to demonstrate—to colleges and employers—just how accomplished they are. The Advanced Placement Test is a good beginning, but until more than 9 percent of all public school students take that test, it will not have a broad impact.

—Paul E. Peterson

Paul Peterson is a senior fellow at the Hoover Institution and a member of the Koret Task Force on K–12 Education. Peterson is also the editor in chief of Education Next *and the director of the Program on Education Policy and Governance at Harvard University.*

Paid for by the Hoover Institution, Stanford University.

HOOVER INSTITUTION

. . . ideas defining a free society

Hoover Institution Stanford University Stanford, CA 94305-6010 Tel: 877.466.8374 Fax: 650.723.1687 info@hoover.stanford.edu www.hoover.org

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK

■ Perhaps Mrs. O'Connor would consider staying on.

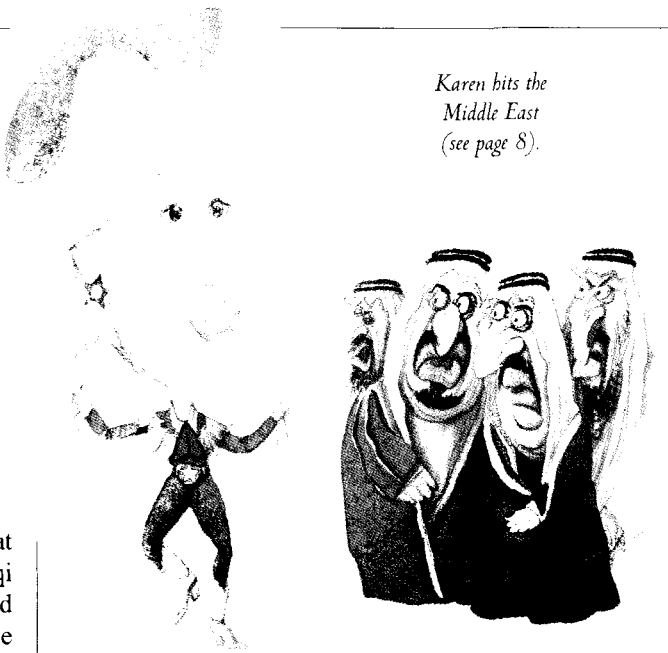
■ On Oct. 15 Iraqis go to the polls to vote on the new constitution. U.S. officials were hoping the document would embody a national consensus of all Iraq's major groups. Instead, Sunnis strongly oppose its federalism and will vote against it. But they probably don't have the numbers to bring it down. How this affects the political situation in Iraq is anyone's guess. If after voting for the first time (they boycotted the Jan. 30 elections) Sunnis acquire a taste for electoral politics, that will be a welcome development. On the other hand, if they decide democratic politics in Iraq is stacked against them, that might further fuel the insurgency. Meanwhile, the U.S. is launching more effective military operations in western Iraq. The classic counterinsurgency tactic is "sweep, clear, and hold." But the U.S. has worried that doing the holding would inhibit the maturation of the Iraqi forces and alienate the locals. So we have had to sweep and clear over and over while waiting for the Iraqis to become ready. Now they are holding in places like Tal Afar, raising the prospect of making permanent gains against the insurgents. But all ultimately depends on the political picture, and that will be murky for some time.

■ On their way to the big antiwar protest held in Washington on September 24, a group of college students began to chant, "FROM PALESTINE TO NEW ORLEANS, NO MORE MONEY FOR THE WAR MACHINE!" Their message didn't really make much sense—were they actually opposed to the National Guard's rescue of stranded hurricane victims?—and it didn't relate directly to the war in Iraq, which was the ostensible subject of the rally. But no one seemed to care on a day when speakers raved about not only "Palestine" but Cuba and Haiti and Katrina and a laundry list of other causes. And, oh yes, the war. In the end, the rally wasn't so much an antiwar protest as much as an anti-Bush protest; the only thing linking the demonstrators' various causes was their loathing of the president. Now, there are millions of mainstream Americans—Republicans and Democrats—who harbor some doubts about the conduct of the war. But they want their country to prevail, and the cause of liberty to advance. The rally in Washington, organized by the neo-communist organization International ANSWER (Act Now to Stop War and End Racism) and a group called United for Peace and Justice, reflected a very different agenda.

■ A caller to Bill Bennett's radio show was making an economic argument for banning abortion, and Bennett replied that it was perilous to rely on social science to resolve the moral question. Aborting all black babies would reduce the crime rate, he said, but would still be grossly immoral. Assuming Bennett was speaking of per capita crime rates, his claim that aborting black babies would reduce them is nearly incontrovertible. It is sadly true that blacks commit a disproportionate amount of crime. Predictably, Bennett has been made out to be a cross burner. Senator Kennedy denounced Bennett's "racist comments," Nancy Pelosi said they were "a direct hit at our children," and Howard Dean called them "hateful, inflammatory," and "simply inexcusable." The White House piled on, calling Bennett's remarks "inappropriate." The near-universal assumption in this phony controversy is that it is worse to discuss the killing of unborn blacks than it is actually to kill them. Bennett is opposed to the aborting of black babies—which is more than you can say about Dean, Kennedy, and Pelosi.

■ The Democratic National Committee said that Bill Frist was involved in a "growing ethical scandal that has engulfed his office." In June, Frist sold stock in his family company, HCA Inc., just before it announced lower-than-expected earnings and its stock price fell 9 percent. Frist was accused of insider trading and linked, by Democrats, to a supposed "culture of corruption" among Republicans. But then the facts began to come out. Frist had sent an e-mail to his accountant expressing his desire "to dispose of all hospital stocks in all accounts that I have control of" well before the company's earnings could have been known to anyone. Around the same time, he also began the laborious process of clearing the sale with the Senate Ethics Committee (which took until June to complete). That's pretty strong evidence suggesting that Frist did nothing wrong. It seems to us that this "ethical scandal" is shrinking.

■ Bush has floated the idea of making the military into "first



ROMAN GENN

Karen hits the Middle East *(see page 8).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

You'll Drool Over Our Investment Performance

If you haven't been enthusiastic about a mutual fund lately, it's time you discovered Ave Maria Mutual Funds. Our performance history together with our pro-life values make our story compelling.

At Ave Maria, we place equal emphasis on investment performance and moral values, so shareholders don't sacrifice returns to satisfy their conscience. Our investment process relies on proprietary screens to evaluate companies based on strict financial and religious criteria. As a result, our funds consistently offer solid return potential and don't violate core Catholic values.

Eager to learn more? Contact us toll-free at **1-800-449-9240** for a financial advisors kit or visit us at **www.avemariafund.com**.

Thru 6/30/05	YTD	1-Year	3-Years (ANNUALIZED)	Since Inception 5/1/01 (ANNUALIZED)
Ave Maria Catholic Values Fund AVEMX	**1.30%**	**10.40%**	**12.60%**	**11.37%**
S&P 500 Index	-0.81%	6.32%	8.28%	0.21%
S&P 400 Midcap Index	3.85%	14.03%	13.16%	8.33%

AVE MARIA MUTUAL FUNDS

Smart Investing Catholic Values

Performance data quoted represents past performance, which is no guarantee of future results. *Investment return and principal value are historical and may fluctuate so that redemption value may be worth more or less than the original cost. Current performance may be lower or higher than what is quoted. Visit www.avemariafund.com or call toll-free 1-866-AVE-MARIA for most recent month-end performance. Performance can be affected by market and investment style risk. The Fund's investments in small and mid capitalization companies could experience greater volatility than investments in large capitalization companies. The investment performance above assumes reinvestment of dividends and capital gains. Performance data reflects certain fee waivers and reimbursements. Without such waivers, performance would have been lower. The S&P 500 Index is a capitalization weighted unmanaged index of 500 widely traded stocks, created by Standard & Poor's, and considered to represent the performance of the stock market in general. The S&P Midcap 400 is an unmanaged index of 400 companies, created by Standard & Poor's and is the most widely used index for mid-sized companies. Indexes do not incur fees and it is not possible to invest directly in an index.*

Prospective investors should read the prospectus carefully and consider the Funds' investment objectives, risks, charges and expenses carefully before investing. The prospectus, which can be obtained by calling 1-866-AVE-MARIA or online at www.avemariafund.com, contains this and other information. Distributed by Ultimus Fund Distributors, LLC.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

responders" in the event of another calamity like Katrina. This would be a mistake. Disaster relief is a state and local responsibility because the locals know the particular challenges their communities face and are best positioned to prepare for them in advance. If a governor is overwhelmed in a crisis and needs federal troops, all he has to do is ask for them, as Gov. Pete Wilson did during the L.A. riots. If a governor foolishly refuses such help—as Governor Blanco did in Louisiana—the president can still invoke the Insurrection Act and use troops to quell any disorder. So the military is already a stop-gap. Giving it a routine role in disaster relief would take it away from its core mission—fighting our enemies—in a way that might harm the institution in the long run. Leave disaster relief where it is, and hope voters in places like Louisiana bother to elect more capable governors and mayors.

■ The House of Representatives has removed us yet another step from the quaint idea that people are to be treated equally before the law. By a vote of 233 to 199, the House amended legislation cracking down on child-sex offenders to include an expansion of current "hate crime" law. The amendment would allow the federal government to assist state and local authorities in prosecuting crimes motivated by a victim's sexual orientation, gender, or disability. The very idea of a hate-crime law is misguided: It establishes a special class of victims whose injuries are given special weight; it implies, correspondingly, that victims who do not belong to a designated group are less worthy of protection; and it punishes criminals for what they think in addition to what they do. Prosecuting all crimes does not require us to abandon the idea that all men are created equal in favor of the idea that men who use a wheelchair, or sleep with so-and-so, are more equal than others.

■ If you were president, and were under attack for appointing as head of FEMA a man with no experience in emergency management, wouldn't you shield yourself from such criticisms in the future? You would? Then your judgment—on this matter—is wiser than President Bush's. Bush has nominated Julie L. Myers to lead U.S. Immigration and Customs Enforcement (ICE), the bureau that hunts down money launderers and human traffickers, and the sole enforcer of immigration law. The seriousness of that work explains the existence of a statutory requirement that ICE's head have at least five years of experience in both management and law enforcement. Myers meets that requirement only by including her current job as an aide in the White House, where she manages, in her own words, "up to three deputies as well as support staff and interns." On the matter of immigration law, she has no experience at all. It's always possible that, if confirmed, she will do a bang-up job, but her résumé offers no obvious reason to think so. Why take the risk, then, when there are so many better qualified candidates? Myers has already met resistance in the Senate. Bush should correct his error, and withdraw the nomination.

■ For the first time in U.S. history, the number of illegal immigrants coming into this country now exceeds the number of legal ones. The Pew Hispanic Center (a left-leaning organization, yet) estimated the 2004 figures as 455,000 legal and 562,000 illegal. That latter number reinforces an illegal population already here that officially numbers 11 million, but is possibly much larger. Legal immigration has slowed somewhat because of tighter scrutiny following 9/11, and a national economy less attractive and labor-hungry than in the 1990s boom years. Nothing, however, slows down the flow of illegals—certainly not any action by the federal government, which continues to neglect its enforcement obligations most shamefully. Hopes for the restoration of an orderly immigration system now rest with the U.S. Congress, which has no fewer than five major bills on the subject before it. We urge senators and representatives to give these bills their full attention, and to prefer those that will drain the swamp of unlawful employment by enforcing employee verification and employer sanctions. Those bills that would award amnesty, however skillfully disguised, to scofflaws, and encourage further illegal flows, should be rejected.

■ Everybody loves Charlie Rangel, the raspy-voiced congressman from Harlem. Good ol' "Chollie." He's a media darling, and even some conservatives can't resist his charms. Castro's fond of him too, as Rangel is of Castro: The Cuban dictator has no more ardent supporter in the American political class. Rangel doesn't like George W. Bush very much, though. He called him "our Bull Connor" (referring to the infamous police chief of Birmingham, Ala.). And he doesn't like Dick Cheney very much either. He said Cheney is "too old for the job [of vice president] and doesn't have the experience." (Recall that, before being tabbed by George W. Bush, Cheney was a presidential chief of staff, a congressman, a party leader in the House, defense secretary, and a CEO.) Rangel further said of Cheney, "I would like to believe he's sick rather than just mean and evil." Yup, good ol' Chollie—how they love him.

■ The school board in Dover, Pa., added "intelligent design" to the 9th-grade biology curriculum. Some parents, and almost all scientists, are outraged. They say that intelligent design is "not science." Even some proponents of ID concede that it would be premature for their theory to be taught in the classroom. But the question that is now before a federal court is not whether teaching ID is wise or foolish. It is whether it is illegal, a violation of the First Amendment. That amendment was originally intended (in relevant part) to keep Congress from either creating a national established church or interfering with states' established churches. It has been reinterpreted to empower federal judges to dismantle state laws and even local school boards' policies when those laws and policies are based on religious beliefs. ID proponents say that there are non-religious arguments for their approach. To strike down the policy, a court would have to determine that those arguments are weak or, more precisely, that they do not actually exist. Along the way it would have to issue an authoritative statement about the philosophy of science. Yet there is clearly no constitutional warrant for the courts to ensure that every public school in the country have an excellent science curriculum. If the courts returned to the original understanding of the Constitution, they would find that it makes for a workload that is more suited to their actual capabilities.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

New card deck exposes 2006 Election's "Most Dangerous Liberals"

THEY'RE AT IT AGAIN. The Liberals are gearing up for the 2006 elections... and they'll say anything to get elected. Now you can keep track of the liberal politicians, Hollywood "activists," kooky Leftist organizations, and mainstream media elite who pose the worst political threats to America this election season.

National Conservative Weekly *Human Events* has identified which liberals to keep an eye on during the upcoming elections. Each card in the brand new "52 *Most Dangerous Liberals in America*" Card Deck features a "Dangerous Liberal" and a self-condemning quote to back up why that particular Leftist has made the cut to be included in this notorious deck.

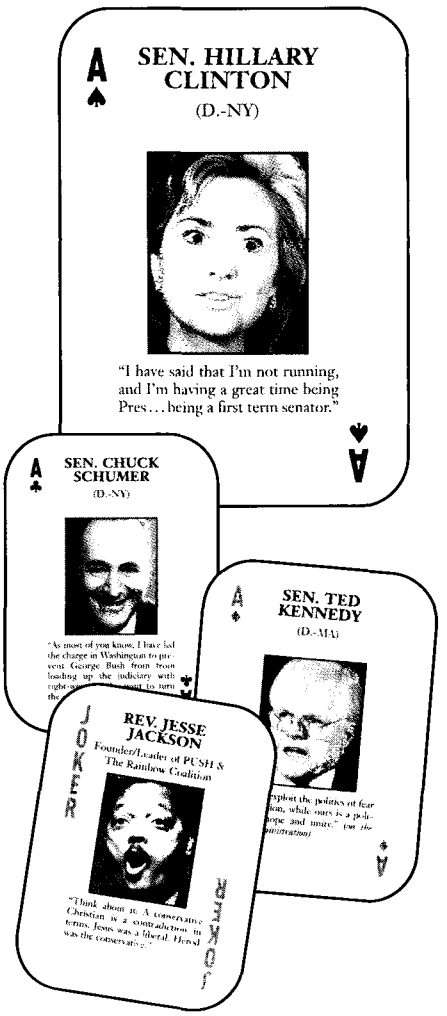
These liberals share their views on banning guns, promoting abortion, spending your tax dollars, and of course, their hero: Hillary. One of our Dangerous Liberals declares the culture of liberalism is "more tolerant and is not hate filled." But the litany of insults and name-calling Liberals hurl at the Right proves that this "tolerance" is yet another Liberal delusion.

From pandering to Hollywood to slandering the Right, Liberals seem to say the craziest things. Find out about:

- ♠ The Senator who describes the Democrats at the "Party of National Security"
- ♠ The Hollywood elitist who denies a terrorist threat in America
- ♠ The dynamic duo who think they should run the country because they have nice hair
- ♠ The progress of a "recovering politician"
- ♠ One Democratic Senator's affection for the KKK
- ♠ And many more outrageous liberal ideas

The "52 *Most Dangerous Liberals in America*" 2006 Election Edition will definitely spark debate and enrage liberals.

Printed on casino-quality stock, the "52 *Most Dangerous Liberals in America*" 2006 Election Edition Card Deck will surely be a collector's item. Order your very own deck today... and get decks for your friends and family.



ORDER ONLINE AT www.NRBookService.com • Call TOLL FREE: 1-888-486-2000

"52 Most Dangerous Liberals in America—The 2006 Election Edition" Card Deck

☐ YES! Please send me ____ Deck(s) of the "52 *Most Dangerous Liberals in America*" 2006 Election Edition Card Deck.

PLEASE SHIP MY ORDER TO:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

To receive monthly bulletin with book specials and free excerpts of unreleased books.

❑ Enclosed is my check or money order for $14.95 per deck plus $3.95 shipping and handling for the first deck and $1.00 s/h for each additional deck. (make payable to Eagle Collectibles)

❑ Total Amount Enclosed: $_____ (Please make sure to include shipping and handling.)

or

❑ Charge my: ❑ VISA ❑ ❑ ❑

Credit Card Number: _____ Exp. Date: _____

Signature: _____ Phone Number: _____
(For charge orders only)

Mail this form to: Eagle Collectibles • P.O. Box 97198 • Washington, DC 20090-7198 or Fax orders to: 202-216-9676

PRIORITY CODE: CBS-C6718-02

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK...

■ Undersecretary of State Karen Hughes made what was billed as a "listening tour" of the Middle East, as part of her assignment to pursue public diplomacy in the region. She talked up the recent Egyptian election, told Saudi women it would be a good thing if they could drive, and got an earful of criticism of the Iraq War from Turks. (No, the Turks aren't turning pacifist—fat chance—they're worried about their own Kurds.) Hughes does not expect miracles. Most of the region's opinion of us is based on our policies; she guesses that a fifth of the population may be reachable. Hughes is an energetic woman who has Bush's ear; we wish her well. But the most important factor remains our policies. If we continue to strike intelligently and effectively at the oppression, stasis, lies, and psychosis that are the norm in so much of the Middle East, over time we and the region will benefit, and their opinion of us will rise accordingly.

■ Terror bombs exploded in three Balinese restaurants, killing 22 and wounding 104 (the three murderers also died). Police suspected Jemaah Islamiyah, the al-Qaeda franchise that has sponsored attacks in Jakarta and Bali over the last three years. The attacks shine a light into the mind of the jihadist. They hate Westerners, of course (Bali is a favorite vacation spot of Australians). But they also hate Hindus, who predominate in Bali. They hate equally the Muslim majority of Indonesia, which has not imposed a Talibanist regime. The jihadists want the largest Muslim nation in the world to be a combination dungeon and bomb factory. Early in the Terror War, President Bush called the enemy "evil ones," and was mocked for the simplicity of his language. But it's hard to beat, isn't it?

■ Tired of watching blow-dried male models and botox-faced ladies reading the TV news? By the miracle of the Internet, you can now tune in to Voice of the Caliphate, a video newscast featuring readers in black ski masks and bandoliers. Studio décor includes a tripod-mounted rifle pointing at the viewer, and a copy of the Koran prominently displayed. Commercial breaks promote jihadist movies and CDs. Lead stories in the first week of broadcasting concentrated on attacks against allied troops in Iraq, the "great victory" of Israeli withdrawal from the Gaza Strip, and the destruction wreaked on "New Orleans, city of homosexuals" by the wrath of God, as manifested in Hurricane Katrina. As one might expect from a new venture, production standards at Voice of the Caliphate leave something to be desired: An image of head Islamofascist Abu Musab al-Zarqawi occupied the screen for half of a recent broadcast. No doubt the network, which says it is an al-Qaeda operation, will soon rise to infidel levels of technical sophistication. The jihadists have, after all, proved willing to master all the other methods and technologies of the civilization they affect to despise, and whose destruction they declare to be their holy mission.

■ Capt. Ian Fishback is the latest hero of critics of the U.S. treatment of prisoners in the Terror War. Fishback claims he witnessed the routine abuse of prisoners near Fallujah. If this allegation is credible, it should be investigated and any acts of abuse punished. Abusing prisoners is wrong, illegal, counterproductive, and un-American. (As early as the Revolution, our leaders had determined their cause would be identified with the humane treatment of captured combatants.) Fishback also claims that he couldn't get a straight answer for 17 months from the chain-of-command on how prisoners should be treated. This is hard to believe, and even if he heard conflicting analyses of the finer points of the administration's reading of the Geneva Convention, no one ever would have thought that breaking prisoners' legs—as Fishback said happened—was permitted. Fishback and many of his supporters want to argue that the administration somehow approved torture, and acts of abuse out in the field, as a matter of policy. Numerous investigations and reports have found this to be false. Does Fishback have any evidence to the contrary?

■ Once again, for the third or even the fourth time, the IRA has decommissioned its arms, all of them. This almost seasonal process is now for real. Who says so? A retired Canadian general by the name of John de Chastelain, his two aides, and two venerable clergymen, one Catholic and the other Protestant, who were chosen as the sole witnesses of a process otherwise mysteriously invisible to the general public. They swear they are telling the whole truth and nothing but the truth, and no doubt they did see enough to convince them. But if democratic politics are now dawning in Northern Ireland, why not dispose of the guns openly? De Chastelain concedes that "we have no way of knowing for certain that the IRA hasn't retained arms." Rumor has it that only old weaponry was put out of commission and that the IRA is keeping its small arms for routine purposes of intimidation and crime. Power-sharing still looks like a mirage in this landscape of bank heists and murder.

■ Since Zimbabwe's president-for-life Robert Mugabe began to implement "fast-track land redistribution" (which is to say, forcible dispossession of white farmers) in 2000, Africa-watching cynics have been trading the following joke. *Q:* What is the difference between Zimbabwe and South Africa? *A:* About five years. Well, well, many a true word is spoken in jest. South Africa's Commission on Restitution of Land Rights, a government body set up to return to black people land lost under apartheid, says it will for the first time force a white farmer to sell his land. South Africa's government further says it wants to hand

CHIEF JUSTICE ROBERTS

A frisson *coursed through Kerry;*
Schumer sustained a twitch.
The Missus called the hearings
A word that rhymes with "witch."
Feinstein, whose loopy queries
Probed Roberts "as a Dad,"
Looked like a scorned Joan Crawford.
Reid looked like he'd been had.

—W. H. VON DREELE

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Call off the search.

Search: The Right School

http://www.SchoolSearch.web/search= Top-ranked+College+Christian+Affordable

Web Images Groups Colleges News Local more >>

Top-ranked + College + Christian + Affordable Search

Web Results 1

Grove City College, Pennsylvania
Searching for one of the highest-ranking colleges in America? One that offers a thoroughly Christian environment, an eye-popping campus, and tuition that costs half of what you'd pay at other private colleges? Your search ends here: (724) 458-2100. **www.gcc.edu/nr**
- 25k - Cached - Similar pages: none

Results Page 1

Top-ranked + College + Christian + Affordable Search

Search within results | Language Tools | Search Tips | Dissatisfied? | Help us improve

GROVE CITY COLLEGE
ESTABLISHED 1876 • PENNSYLVANIA

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK...

over about a third of white-owned farmland to blacks by 2014. Ominously, deputy president Phumzile Mlambo-Ngcuka, urging an acceleration in the pace of "reform," added that: "We may need the skills of Zimbabwe to help us." Alas, the actual skills of Zimbabwe, the ones that formerly made that nation one of the richest in Africa, have mostly fled abroad to escape the depredations of Mugabe and his thuggish cronies. Zimbabwe is now sunk in a condition of near famine, chronic unemployment, rampant inflation, and diplomatic isolation. South Africa's prospects look dire indeed if Zimbabwe is to be its model for "reform."

■ A coalition of center-right parties triumphed in the Polish elections, ousting a Communist-led left-wing coalition. The losers weren't all bad—they did send 2,500 troops to post-liberation Iraq, though they recently pledged to remove them. But now Poland, which led Eastern Europe in liberty in 1980, will have a chance to enjoy the fruits of liberty more fully. Among the new members of the Polish senate is Radek Sikorski, former roving correspondent for NATIONAL REVIEW. Congratulations to him, and his colleagues.

■ Imam Intikab Habib was hired by the Fire Department of New York in August to be its Muslim chaplain. He hadn't been on the job two months when he told a reporter, who was profiling him for the religion column of *Newsday*, that he didn't know who

NEW YORK TIMES/2005

The Fantasy Continues

ONCE you try to make a fantasy intellectually defensible it becomes stupid. Much in the same way a joke ceases to be funny if you have to explain it, a fantasy that tries to prove its plausibility inevitably gets stuck on stupid. This is obviously so with sexual fantasies: The Socratic method will never deliver a reasonable defense of foot-fetishism and very few of us expect the pornography universe to intersect with our own. Xerox repairmen actually don't get ravished by randy business executives who could pass for underwear models. Alas. Generally speaking, if fantasies were plausible, we wouldn't call them fantasies. We'd call them "plans."

This is a particular dilemma for Hollywood liberals. With science fiction, for example, filmmakers rely on the audience's willing suspension of disbelief. But when it comes to politics, they desperately want to vomit up their political fantasies on the big screen and have the audience exclaim, "That could happen!"

Hollywood has barfed up its latest example of this with ABC's *Commander in Chief*. As drama, the series is dumb. As politics, it is dumber. A Republican presidential nominee picks Mackenzie Allen (Geena Davis)—a female, feminist Independent—as his running mate in order to win the women's vote. After he is elected, he conveniently dies of a brain aneurysm. The late president's party doesn't want her to take the job. She's all set to acquiesce to their wishes when the Speaker of the House (who is next in line for the presidency) admonishes her for wanting to use U.S. troops to prevent a Nigerian woman from getting stoned to death for the crime of adultery: It's an awful lot of trouble to go to for, he says, "a woman who couldn't keep her legs together." And with that she changes her mind—a woman's prerogative, after all—and decides she's gonna be president after all. You go, girl!

Rod Lurie, the show's creator as well as the creator of the equally execrable film *The Contender*, about another female VP who won't take the patriarchy's (read the Republicans') crap anymore, claims to be heavily influenced by *The Sopranos*. This is odd because *The Sopranos* is well-written, original, and compelling, even though it exploits a very, very old subject: the mob. Meanwhile, *Commander in Chief* is none of those things and is painfully derivative.

In 1933, Hollywood came out with *Gabriel Over the White House*, in which the president barely survives a car crash and discovers that life is too short for partisan politics—so he assumes dictatorial powers to cure the Depression and Get Things Done. This neatly summarizes Hollywood's political fantasies at the time (it was largely pro-Mussolini until the mid-1930s). Since then we've had a steady stream of similar fantasies. In *Mr. Smith Goes to Washington*, a senator dies and is replaced by an outsider willing to tell it like it is. NBC tried the same thing with its short-lived series *Mister Sterling*, about an independent who won't play by Washington's rules. In the movie *Dave*, the president has a stroke and his doppelganger takes charge and delivers what no conventional politician would dream of: a jobs bill. Implicit in all of these stories is the idea that if we can only just get past labels we could Get Things Done—and Getting Things Done certainly doesn't mean tax cuts.

Of course, most of the buzz for *Commander in Chief* has been about its status as an in-kind contribution to the Hillary '08 campaign. Naomi Wolf, in the British *Guardian*, wrote an almost self-parodic review of what she calls "truly addictive, political pornography." "Finally," she gushed, "we have a show that can acclimatise Americans to a woman in power before Hillary and her juggernaut." Despite its early high ratings—thanks largely to unprecedented hype—I sincerely doubt it will be around long enough to help Hillary, and if it is around it won't help Hillary with anyone she doesn't have in her skirt pocket already. Why? Because the show is just so dumb.

—JONAH GOLDBERG

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Forbes FYI

"Turn it up, close your eyes and you'll think you're listening to a...sound system that costs five times more."

AudioVideo International

"...deeper bass and more accurate reproduction of the sound of musical instruments..."

Jonathan Takiff, *Philadelphia Daily News*

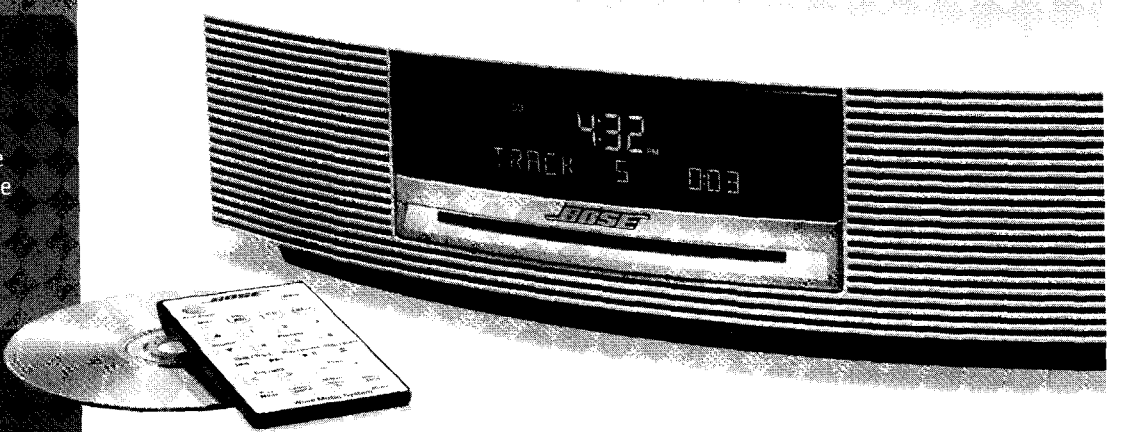
"This sleek, compact music maker couldn't be easier to operate. Yet sophisticated technology hidden inside makes this an extraordinary performer."

Stephen Williams, *Newsday*

"There are critical listeners who could make the new Wave their primary home music system; the clarity and detail are that pronounced."

Hear what you've been missing.

The Bose® Wave® music system.



Call 1-800-901-0231, ext. TG720 to experience the acclaimed sound of the Bose® Wave® music system. And hear for yourself what the critics are talking about.

It sounds even better than the legendary Wave® radio/CD. Listen to your favorite CD, MP3 CD or FM/AM radio station on the Wave® music system. You'll hear it reproduce one-half octave lower musical notes than its award-winning predecessor, giving instruments like kettle drums and bass guitars a more natural presence. Plus, significant improvements in clarity and definition let you hear and appreciate even more of the intricate nuances of many instruments – including the human voice. When David Novak, the Gadget Guy, listened for himself, he said, "It can easily replace whatever component system you currently have."

You'll also enjoy enhanced simplicity and elegance. With the Wave® music system, enjoying premium sound could not be easier. Just plug it in. Every feature and function is easily controlled using the credit card-style remote. And there are no confusing buttons or dials to adjust in the pursuit of tonal balance – that's handled automatically for you. All you see is a sleek, all-in-one unit that neatly encloses what *MetroWest Daily News* calls a "simplified break from traditional sound systems."

FREE shipping with your order.

You have 30 days to listen – risk free. The Wave® music system is available directly from Bose, the most respected name in sound. Our Excitement Guarantee gives you 30 days to listen in your own home. When you call, be sure to ask about our payment plan, which lets you use your own major credit card to make **12 easy payments,** with no interest charges from Bose.*

Shown in Graphite Gray.

Hear the Wave® music system for yourself. Compare the sound, side by side, to much larger and more expensive systems. You will appreciate our request when you make this comparison.

TO ORDER OR LEARN MORE, CALL TODAY
1-800-901-0231
EXT. TG720
Discover all our innovative products at
www.bose.com/tg720

Name_____
Address_____
City_____ State____ Zip_____
Phone_____ E-mail (Optional)_____

Mail to: Bose Corp., Dept. DMG-TG720, The Mountain, Framingham, MA 01701-9168

BOSE®
Better sound through research.®

Bose payment plan available on orders of $349-$1500 paid by major credit card. Down payment is 1/12 the product price plus tax. Then, your credit card will be billed for 11 equal monthly installments with 0% APR and no interest charges from Bose. Credit card rules and interest may apply. U.S. residents only. Limit one active financing program per customer. ©2005 Bose Corporation. Patent rights issued and/or pending. The distinctive design is also a registered trademark of Bose Corporation. Financing and free shipping offer not to be combined with other offers or applied to previous purchases, and subject to change without notice. Risk free refers to 30-day trial only and does not include return shipping. Delivery is subject to product availability. *Quote is reprinted with permission: Thomas Jackson, Forbes FYI, Winter 2004.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WEEK...

was responsible for 9/11. "Was it 19 hijackers who brought [the World Trade Center] down, or was it a conspiracy?" That certainly made the news. We are healthy enough as a society that Imam Habib had to leave his chaplaincy; we are unhealthy enough that such mental thugs are as common as they are, and get as far as they do.

■ "To More Inmates, Life Term Means Dying Behind Bars / With Tougher Laws and Political Pressure, Growing Number Will Never Get Out." The *New York Times* headline-writers seem to think that's a bad thing. The jump headline says that these new, for-real life terms mean that the "Sentence Is Death in All but Name." It's a death sentence, that is, except that the prisoner doesn't get executed. (If the actual execution of a prisoner is no worse than a life sentence, perhaps someone should inform the *Times*'s editorial board.) The reporter, Adam Liptak, says that experts say that the practice "raises a host of questions." Liptak isn't saying that he opposes life terms, you understand. It's just experts. Raising questions. Liptak is right to suggest that the increased use of life sentences results in some injustices. He highlights cases in which, on his description, prisoners seem to be serving excessive sentences. But a relaxed policy on sentencing would lead to injustices, too, and life sentences that are not for life make a mockery of the law. Most people will want to correct specific injustices but not to go back to the days of easy sentencing, and most people are right.

■ Ten years ago, *The Weekly Standard* debuted, a conservative journal of opinion emanating from Washington, D.C., edited by William Kristol. (NATIONAL REVIEW tried being a weekly 50 years ago, but quickly gave it up. What iron they have in their souls!) They're brash, they bash, they take on all comers. An excellent staff deals with the issues of the week. Even after the *New York Times* snatched David Brooks, the *Standard* has a bench that Steinbrenner might envy. Well done, good luck, and we await your next ten.

■ Three members of Bucknell College's Conservative Club were dressed down for their use of "offensive" language. Their offense? In an e-mail promoting a speaker, they wrote, "Where were you during the months following September 11? Major John Krenson was hunting terrorists" in Afghanistan. The offending part isn't immediately clear, but it turns out that in the cosseted world of Bucknell the phrase "hunting terrorists" is verboten. University president Brian C. Mitchell called it "unfortunate language" and said that he wished to "prevent this from happening again." Got it: Next time, make it, "Krenson was trying to start a useful dialogue on sensitive issues with freedom fighters subjected to U.S. imperialism."

■ An interesting example of cultural cross-fertilization showed up on our TV screens the other day when Martha Stewart, our national icon of middle-class domesticity, played hostess on her talk show to rapper and pop-music entrepreneur—he is the founder of Bad Boy Entertainment—Sean Combs, a.k.a. "Diddy." Mr. Combs taught hip-hop slang to Ms. Stewart, and watched with approval while she rapped: "It's Miss Martha from Jersey City / I'll bake you a cake and make your crib look pretty . . ." Ms. Stewart's venture into street culture seemed to us to fall into that category of performances famously remarked on by Doctor Johnson: It was not done well, but one was surprised to find it done at all. We doubt Ms. Stewart will have much of a career as a rap singer. The other side of the exchange was more promising. Mr. Combs learned how to make Chinese dumplings, how to personalize wrapping paper, and the proper way of watering house plants, accomplishments that will no doubt enrich his future life, broaden his horizons, and elevate his standing among his peers.

■ On October 3, 1995, O. J. Simpson was acquitted of murdering his ex-wife, Nicole Brown Simpson, and her friend Ronald Goldman. On September 30, 2005, Simpson was back in Los Angeles, autographing sports memorabilia for a horror-movie convention. "I don't keep these dates in my head," Simpson remarked of the near-coincidence, no doubt because his pursuit of the real killers has been all-consuming.

■ Eugenia Charles, former prime minister of the Caribbean island of Dominica, died last month, age 86. In the sun/rain/sun of the lesser Antilles, history can seem as if it's passing by: "There the past is an infinite Sunday," as Derek Walcott put it. History visited big-time in 1979 when the Castroite Maurice Bishop took over Grenada in a coup (just one of those Carter-era debacles). In October 1983 Bishop was deposed by rivals who were even further left, and the United States finally acted. Prime Minister Charles stood with Ronald Reagan when he announced the American liberation, and backed it wholeheartedly. She was the face, sharp and well-spoken, of Caribbean common sense. The freedom of Grenada, Dominica, and their neighbors justifies her principles and her guts. R.I.P.

THE LAW

The Miers Pick

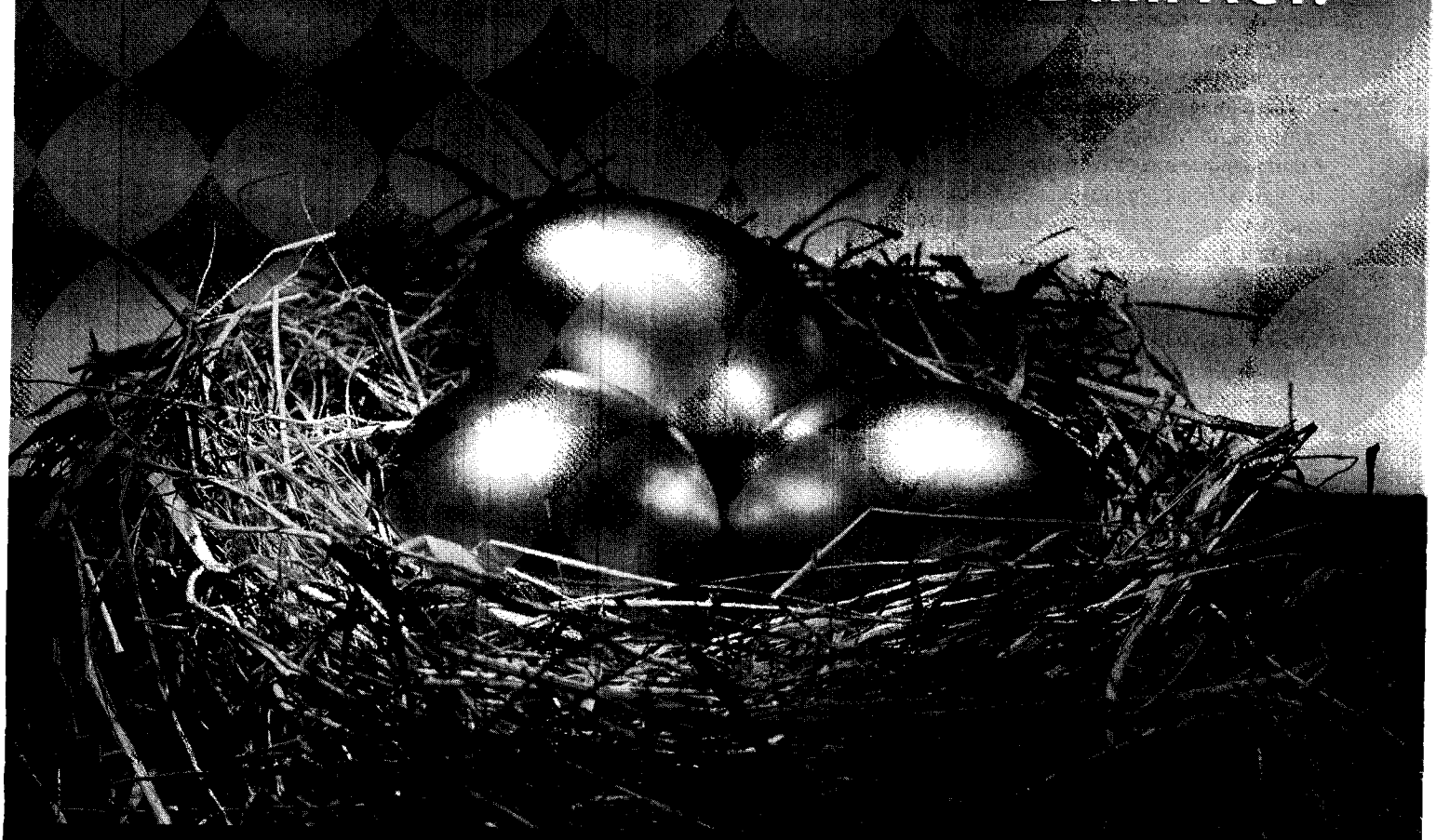
HARRIET MIERS could turn out to be a solid conservative justice, with an intellect and commitment to constitutional rectitude to match Antonin Scalia. The president may believe that she is, and is likely to remain, a solid legal conservative. In accepting the nomination, she said, "It is the responsibility of every generation to be true to the Founders' vision of the proper role of the courts in our society." That is something of a platitude; but it is, at least, the right platitude.

When the American Bar Association came out for legal, subsidized, and constitutionalized abortion, Miers argued that members of the organization should be allowed to vote on it first. Perhaps she would have similarly democratic inclinations—and a similar willingness to buck elites on moral issues—on the Supreme Court.

But none of this adds up to persuasive evidence that Miers would pull the Court, and its constitutional law, back toward its proper source. John Roberts was a "stealth nominee" in that he

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

MINIMIZE YOUR TAXES.
MAXIMIZE YOUR CHARITABLE IMPACT.



With DonorsTrust, you have even more options than you might imagine.

For instance, you don't have to make hasty charitable decisions to meet the December 31 deadline. When you open a donor-advised account with DonorsTrust, you immediately get the highest charitable tax deduction allowed by law. If you give appreciated assets, you won't pay any capital gains taxes. Later, as you decide which charitable organizations best fit your philanthropic goals, you can request disbursements from your account.

Our mission at DonorsTrust is to support only those public charities that promote liberty through limited government, personal responsibility, and free enterprise. If that reflects your intent as a donor, you won't find a more reliable ally. "Trust" isn't just part of our name; it's our commitment to respect your charitable intent.

Ask us about our wide variety of funds and foundation-style services. They're all designed to give you convenient, flexible options for reducing your taxes while defending America's priceless liberty.

Smart giving.
Convenient giving.
Principled giving.

For more details, visit our Web site or call us for a free informational brochure.

Donors

703.535.3563 | www.donorstrust.org

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

did not have declared positions on such questions as the constitutionality of affirmative action and anti-abortion laws. But Roberts possessed stellar professional qualifications, had impressed everyone who came in contact with him, had written well-reasoned judicial opinions, and had conservative legal heavyweights willing to vouch for his soundness.

These things are either not present, or are present to a smaller degree, in Miers's case. We do not believe that a Supreme Court nominee must have gone to an elite law school, served on the federal bench, or taught constitutional law—as some Miers critics have perhaps implied. But it seems impossible to maintain that Miers was the best pick from any field larger than Bush's inner circle. Having run the commission for the Texas lottery is not disqualifying. But when the president cites that service as a qualification, it is simply embarrassing.

Roberts's confirmation was a great victory for the Bush administration. The fact that half of the Senate Democrats were unwilling to vote for him demonstrates the depth of their commitment to overwriting the Constitution. But his, and the Republicans', adoption of the stealth strategy—and worse, their defense of that strategy as a matter of high principle—has made the task of ascertaining whether judicial nominees are faithful to the Constitution as originally understood harder.

We have not yet been given any reason to believe that Miers has given deep thought to questions of constitutional law. It seems highly unlikely that she will be the kind of justice who, in combination with Roberts, Scalia, and Thomas, will attract additional votes by the sheer force of her arguments. This nomination was a missed opportunity.

PUBLIC POLICY

Slowing the Spending

THE wave of post-Katrina spending is tipping President Bush's fiscal record from bad to atrocious. We all know the litany that got us to this point: Bush has never vetoed a bill, even as Congress has agreed to fund an estimated 14,000 pork projects, up from around 1,000 in 1996; he has presided over a federal spending increase of 33 percent since 2001, with 55 percent of the increase in the last two years unrelated to defense, according to Brian Riedl of the Heritage Foundation; and he created a new entitlement, signing a $500 billion (and counting) prescription-drug bill.

Conservatives could just manage to swallow all this, when it seemed as though Social Security reform might change the politics of entitlements. Now, the Katrina aftermath has made Social Security reform, already unlikely, still more so, while driving up federal spending yet further. This turn of events casts all that has come before in an even worse light.

Hence the rumblings of revolt, which we heartily endorse. Bloggers have made lists of pork-barrel projects that can be cut. Republicans like John McCain—who has been starring in his role as scourge of wasteful spending in recent weeks—are calling for a repeal, or in some cases delay, of the prescription-drug bill. The Republican Study Committee in the House has compiled a wish list of areas where funding should be outright revoked, or at least frozen. Their "Operation Offset" details ways to save $102 billion in 2006 alone, and $950 billion over the next ten years. We would be happy to take all the RSC's suggestions, and just running our eyes along the list, with the word "eliminate" repeated over and over, is enough to thrill our hearts.

But we are also aware that the Republican majority in Congress is not a conservative majority—and that fact imposes realistic limits on conservative strategists. Fights over repealing "earmarks" will be extraordinarily bloody, without yielding major savings. A repeal of the prescription-drug bill (which we opposed at the time of its passage) is unlikely to happen and would be demagogued by Democrats as paying for Katrina on the backs of the ailing elderly. The most promising area is corporate welfare.

It doesn't have a natural base of support, and cuts in it will be much harder for Democrats to oppose. Republicans should have taken it on long ago. According to the RSC, eliminating corporate welfare would cut $5 billion in 2006 and $50 billion over ten years. Take one example: The Advanced Technology Program was instituted in the late 1980s, when the conventional wisdom held that the Japanese government's support for industry was causing that economy to overtake America's. This program, funded to the tune of $150 million per year, gives grants for research and development on products with "significant commercial payoff." That is, the money funds research on only the most marketable products, those that companies have the *most* incentive to fund anyway. General Motors, Motorola, and IBM have all cashed in. Over 35 percent of ATP funding has gone to 39 Fortune 500 companies, whose combined 2003 revenue was $1.4 trillion. Naturally, the program has survived long after the alleged crisis that brought it into being was shown to be a false alarm.

It's not sexy, but Bush and anti-spenders in Congress should also be pushing to reform the congressional budget process, which favors free spending. Making the budget resolution binding, for instance, would rein in appropriators who ignore it to lavish money on their own priorities. Cuts in pork-barrel spending are important, but we have learned that, when the current anti-pork moment passes, pet projects will be back with a vengeance. The trick is to create the basis for savings over time.

What is now the most important ingredient is presidential leadership. On spending, it has been absent for five years. In his press conference after the Miers nomination, Bush made a point of emphasizing that the Katrina spending has to be matched with serious offsets. That's a start. Following through on his words would be even better.

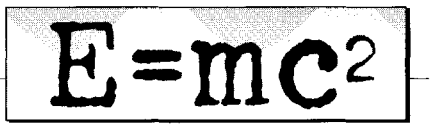
POLITICS

A Political Prosecution

RONNIE EARLE, the district attorney for Travis County, Texas, indicted Tom DeLay for taking part in a conspiracy to violate the state's election law. The indictment forced DeLay out as House

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

EINSTEIN deciphered the mysteries of the universe for every scientist in the world. Isn't it about time someone deciphered them for you?



At last... The secrets of modern physics taught in language you can understand... these audio and video lectures let you learn at your own rate, wherever and whenever you wish!

Now you can learn the basic ideas behind the theory of relativity and quantum physics from 24 vibrant, expertly delivered lectures that require no special background in math or science.

Professor Richard Wolfson has a gift for explaining the awe-inspiring concepts of modern physics in ways that anyone interested in learning can readily master.

The 20th century brought two revolutionary changes in our understanding of the physical universe. Relativity and quantum theory touch the very basis of physical reality, altering our common-sense notions of space and time, cause and effect.

Time Travel, Black Holes, and the Raisin That Lit New York

Is time travel into the future possible? Yes—but if you don't like what you find, you can't come back! Does a single raisin contain enough energy to power New York City for a day? Absolutely! Do black holes and wormholes exist? Quite possibly! Is the universe governed by laws that strictly predict what will happen in the future, or by chance? In part, by chance. These and other consequences flow from relativity and quantum physics.

The Theory of Relativity in One Sentence?

The basic ideas of relativity and quantum physics can be mastered by anyone. Einstein's theory of relativity, for example, can be stated in a concise English sentence.

About Our Sale Price Policy

Why is the sale price for this course so much lower than its standard price? Every course we make goes on sale at least once a year. Producing large quantities of only the sale courses keeps costs down and allows us to pass the savings on to you. This approach also enables us to fill your order immediately: 99% of all orders placed by 2:00 p.m. eastern time ship that same day. Order before December 5, 2005 to receive these savings.

In **Einstein's Relativity and the Quantum Revolution: Modern Physics for Non-Scientists**, Professor Wolfson shows how inquiry into matter at the atomic and subatomic scales led to quandaries that caused even the great physicist Werner Heisenberg to wonder whether "nature [can] possibly be as absurd as it seems to us in these atomic experiments?"

You will see how these quandaries are resolved by quantum mechanics. Professor Wolfson explains the basics of quantum theory and explores the "zoo" of particles and forces that compose everything.

About Your Professor

Richard Wolfson (Ph.D., Dartmouth College) is Professor of Physics at Middlebury College in Vermont. Decades of teaching at Middlebury, with its strong emphasis on the humanities, have made him an expert at demonstrating the logic and significance of physics to students from many fields. His writings have appeared in *Scientific American*. He is author of *Physics for Scientists and Engineers*.

About The Teaching Company

We review hundreds of top-rated professors from America's best colleges and universities each year. From this extraordinary group, we choose only those rated highest by panels of our customers. Fewer than 10% of these world-class scholar-teachers are selected to make The Great Courses. We've been doing this since 1990, producing more than 2,000 hours of material in modern and ancient history, philosophy, literature, fine arts, the sciences, and mathematics for intelligent, engaged, adult lifelong learners. If a course is ever less than completely satisfying, you may exchange it for another or we will refund your money promptly.

Lecture Titles

Time Travel, Tunneling, Tennis, and Tea ... Heaven and Earth, Place and Motion ... The Clockwork Universe ... Let There Be Light! ... Speed *c* Relative to What? ... Earth and the Ether—A Crisis in Physics ... Einstein to the Rescue ... Uncommon Sense—Stretching Time ... Muons and Time-Traveling Twins ... Escaping Contradiction—Simultaneity Is Relative ... Faster than Light? Past, Future, and Elsewhere ... What about $E=mc^2$, and Is Everything Relative? ... A Problem of Gravity ... Curved Spacetime ... Black Holes ... Into the Heart of Matter ... Enter the Quantum ... Wave or Particle? ... Quantum Uncertainty—Farewell to Determinism ... Particle or Wave? ... Quantum Weirdness and Schrödinger's Cat ... The Particle Zoo ... Cosmic Connections ... Toward a Theory of Everything

THE TEACHING COMPANY®
The Joy of Lifelong Learning Every Day™
GREAT PROFESSORS, GREAT COURSES, GREAT VALUE GUARANTEED.™

SAVE UP TO $185!
OFFER GOOD UNTIL DECEMBER 5, 2005

1-800-TEACH-12 (1-800-832-2412)
Fax: 703-378-3819

Special offer is available online at
www.TEACH12.com/5natr

The Great Courses®
THE TEACHING COMPANY®
4151 Lafayette Center Drive, Suite 100
Chantilly, VA 20151-1232

Priority Code 19374

Please send me **Einstein's Relativity and the Quantum Revolution: Modern Physics for Non-Scientists**, which consists of 24 half-hour lectures, with complete lecture outlines and diagrams.

- ☐ **DVD $69.95** (std. price $254.95) **SAVE $185!** plus $10 shipping, processing, and lifetime satisfaction guarantee.
- ☐ **Videotape $54.95** (std. price $199.95) **SAVE $145!** plus $10 shipping, processing, and lifetime satisfaction guarantee.
- ☐ **Audio CD $49.95** (std. price $179.95) **SAVE $130!** plus $10 shipping, processing, and lifetime satisfaction guarantee.
- ☐ **Audiotape $34.95** (std. price $129.95) **SAVE $95!** plus $10 shipping, processing, and lifetime satisfaction guarantee.
- ☐ **Check or Money Order enclosed**

* Non-U.S. Orders: Additional shipping charges apply. Call or visit the FAQ page at our website for details.
**Virginia residents please add 5% sales tax.

Charge my credit card:

☐ VISA ☐ MasterCard ☐ Discover ☐ American Express

ACCOUNT NUMBER _____ EXP. DATE _____

SIGNATURE _____

NAME (PLEASE PRINT) _____

MAILING ADDRESS _____

CITY/STATE/ZIP _____

PHONE *(If we have questions regarding your order—required for international orders)* _____

☐ **FREE CATALOG.** Please send me a free copy of your current catalog (no purchase necessary).

Special offer is available online at www.TEACH12.com/5natr

Offer Good Through: December 5, 2005

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

majority leader, at least temporarily. House Republicans' rules preclude anyone under indictment from serving in the leadership.

The rules do not require the indictment to be credible or in good faith. DeLay's lawyers quickly pointed out that the laws on which Earle relied were enacted after DeLay's alleged misbehavior. So Earle hastily convened a new grand jury (the seventh in the case) that charged DeLay with money laundering—even though the previous grand jury had declined to do so. Any old hook will do.

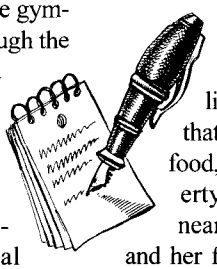
Earle has almost certainly leaked sealed proceedings. He is letting a film crew tape a documentary about his greatness in taking DeLay down. His prosecution of Sen. Kay Bailey Hutchison was thrown out. So was a prosecution of a Democratic politician from a rival faction of the party, Bob Bullock. Earle has recently claimed that Bullock, who is now dead, later admitted his guilt in a private conversation. In his current campaign-finance investigation, he has dropped charges against corporations on the condition that they donate to causes he favors.

The national press would treat Earle as the buffoon he is if he were not doing severe damage to one of their hate figures. DeLay has his flaws: His relationship with disgraced lobbyist Jack Abramoff did him no credit, and he has led a majority that has been more interested in cultivating its ties with D.C. lobbyists than in cutting the federal leviathan down to size. But nothing he has done approaches the misconduct involved in Earle's prosecution of him.

notes & asides

■ *WFB's contribution to the recollections offered at Christie's auction house in New York City in honor of the late Nan Kempner, September 23, 2005*

I thought, apropos of my duties here, to ask myself when did I first meet her, and of course the answer was: I cannot remember. It seemed, on reflection, to be an idle question: When did one *not* know Nan Kempner? By contrast, her rather aloof husband I could very well remember first encountering. It was at the gymnasium in New Haven, filing through the obstacle course designed to record individual physical weaknesses, so that Yale University could, in pursuit of *corpore sano*, address such problems while simultaneously moving whole landfills designed to remedy our intellectual ignorance. We were freshmen; it was September 1946, 59 years ago.



Tom, I would eventually learn, extruded most of the planted axioms of Yale economics, emerging not only as a conservative, but also as a conservative with something of a sense of mission. I say this because every Christmas I receive, along with 100 other recipients, one or more didactic books from him with a covering letter describing their singularity. You would think that after almost 60 years of companionship, he'd have elected to send around at least one book written by me. On the other hand, I doubt very much that Nan was on this particular gift list, because if she ever expressed a political thought, it was done outside my hearing.

This wasn't owing to any indifference to modern thought or to attempts to undermine it. It was, rather, just one more stroke in pursuit of that otherworldliness which she celebrated and adorned. She'd have made an absolutely superb White Russian. Her eyes were on her family and friends, on their needs and pleasures, and her own. Her delight was in those things that ideology can't really suppress. Who is going to require us to eat badly prepared cuisine? Good food is an embellishment of life, and I first knew from her that what one thought one's own food, she considered common property if she was seated anywhere near you. She wanted to taste it, and her face graphically registered her reactions to it.

She managed all of this year after year, decade after decade, while simultaneously maintaining her famous figure. No dress was ever designed or produced too slender for Nan Kempner to display, causing delight for so many, who marveled at her ability to enhance with her couture any scene at all, and the sense we always had that she *knew* she was bringing pleasure to an entire world, disposed not merely to approve her taste but to marvel at it and at her near-sensual devotion to the art of clothing.

Three years ago she fell ill at our chalet in Switzerland, to which she had invited herself on her entirely well-reasoned assumption that she would be welcome. "I'm coming to you for a week," she would say, and my wife Pat, whom Nan acknowledged, in the essay about her in *Vanity Fair* in April, as her "best" friend, would worry about the possibility that one of the seven evenings ahead would be insufficiently peopled with men and women who would entertain Nan Kempner, or, inconceivable, that someone would fail to be entertained by her.

That winter she stayed many weeks at the Saanen Hospital, which had now become the social center of Gstaad. But eventually she decided to call an end to that season's illness and get back to her obligations to friends and admirers in other capitals of the world. There were a few days there, that winter in Switzerland, when we feared for her survival. Her illness seemed to affect even the snows outside, which gave way to a wet emaciation, discouraging the exercise of the sport she had come to Switzerland to pursue. She was entirely philosophical about this bad turn in the weather, as she had been about the bad turn in her own health. Nan simply did not criticize. She deplored, but did not criticize.

She gave us another three years, living with restrictions which are the legacies of the cigarettes she so much enjoyed, but she did not repine. When finally she left us, the pain was mostly ours, as also the gratitude for her company so kind and generous, so animated and so cheered by life's extravagant endowments. She is greatly missed. She has no successor, but the memory of her is in the minds of the legions she entertained and loved.

—WFB

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

■ COVER STORY ■

'Personnel Is Policy'

Sadly, true

DAVID FRUM

THERE's one way, anyway, that Harriet Miers really is like Antonin Scalia: When Ronald Reagan named the very conservative Scalia to the Supreme Court in 1986, the conservative judge won endorsements from unexpected quarters, including Mario Cuomo, the very liberal governor of New York. For Cuomo, what mattered most about Scalia were not his ideas, but his identity as an Italian American: one of Cuomo's own.

Ditto for Miers. Within hours of her formal nomination at 8 A.M. on Monday, October 3, Miers was endorsed by James Dobson, the influential broadcaster—and one of the few conservative leaders to have received advance word of the Miers choice. Dobson's endorsement was no formality. He placed at least one call that day to conservatives who criticized the choice, assuring them of his confidence in the former presidential counsel. Miers, you see, had attended a conservative evangelical church in Dallas. Raised a Roman Catholic, she had a conversion experience some 25 years ago. In other words: She was a born-again Christian, one of Dobson's own.

In the years since 1986, Cuomo has surely had many occasions to regret his burst of ethnic pride. Will Dobson come to feel the same way? Who can say? Miers has worked closely with George W. Bush since the early 1990s. As long as she was on his staff, she loyally followed his lead. There's no telling what she will do once she begins making decisions for herself.

Nevertheless, there are some important things that can be learned from her nomination—if not about Miers, then about the administration of the president who appointed her. The administration's tone is set by conservative evangelical Christians, from the president on down. For many of them, to call someone a "conservative Christian" is to identify something one *is*, rather than to describe something one *believes*.

One of Miers's closest friends, Texas Supreme Court justice Nathan Hecht, has had this to say about Miers's views: "Her personal views are consistent with that of evangelical Christians . . . You can tell a lot about her from her decade of service in a conservative church." Conservative Catholics have learned from bitter experience that some judges see no contradiction between their faith and liberal activism (e.g., William Brennan and Anthony Kennedy). Jews famously joke about themselves that if you have three Jews, you will have four opinions. Many evangelical Christians, though, still trust that if you worship as we do, then you must surely believe as we do—about everything.

George W. Bush has benefited immensely from this trust. However often he has deserted ideological conservatives on issues ranging from border control to government spending, he has been politically protected by the faith of millions of relatively unideological religious conservatives that he is "a good Christian man." So of course he is. But the president's Christian faith has not been inconsistent with his abandonment of the Federal Marriage Amendment the instant he was reelected, or a spending spree of historic proportions. Harriet Miers's Christian faith may likewise prove consistent with all kinds of unexpected rulings—and Christian conservatives may be about to learn painfully the lesson ideological conservatives were taught by Warren Burger and Harry Blackmun: When picking your judges, ignore their biographies and read their opinions—and if they have not yet written any opinions, put them on an appellate court first and *make* them write some.

As for the president, the Miers appointment is one more demonstration of his often reckless indifference to the quality of the personnel he appoints. "Personnel is policy" was a slogan of the Reagan years. Back then, it meant that if you want conservative policy, you had better go hire the smartest and toughest conservatives you can find to execute it. Today, that old Reagan mechanism has gone into reverse. Michael Brown of FEMA was unfortunately not at all an exception to the rule. He was not even an especially extreme manifestation of the rule.

Since the early 1980s, conservatives have worked to develop a team of superbly qualified and credentialed jurists, ready and waiting for that rare, precious moment when a conservative president and a Republican Senate would be called on to fill a Supreme Court vacancy. That moment arrived in the fall of 2005, twice. One vacancy, the Rehnquist vacancy, offered an opportunity to maintain the balance of the Court, and the president used that opportunity brilliantly, by appointing the outstanding John Roberts. The second, the O'Connor vacancy, offered an opportunity to change the balance. And confronted with that opportunity, the president spurned two decades' worth of hard work by the conservative movement. He disdained the personal sacrifice of a cohort of idealistic conservative lawyers who had turned their backs on the fortunes to be earned in private practice. He chose instead his own personal lawyer, a woman of no special distinction, and he chose her, as

MATTHEW CAVANAUGH

Mr. Frum is a contributing editor of NATIONAL REVIEW.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

White House spokespeople explained on background, because he "felt comfortable" with her.

Think for a minute about that justification. The justices of the Supreme Court don't work for the president who appoints them. They long outlast him. He doesn't have to work with them, and how he personally feels about them should not matter very much. And then consider: What is it exactly about Miers that *caused* the president to feel so comfortable with her? What does it say about a president that he does not feel so comfortable with superb legal minds like Samuel Alito, Michael Luttig, or Michael McConnell?

Nor is this just a matter of intellect. It is a matter of character. Marvin Olasky expressed a rather nasty insinuation in his pro-Miers blog:

> I've long subscribed to a theory (most recently voiced by David Frum) that if a new [Supreme Court] justice doesn't come in with a fervently articulated judicial philosophy, the social and media pressures to move left are likely to prove overwhelming. Our sub-blog Blog9 brilliantly explains why Harriet Miers—graduate of SMU (not Harvard or Yale), lawyer at a solid Dallas firm for most of her career—may be immune: "The pressures of the 'left' are strongest on those that want what the left can provide, i.e. acceptance at fancy law schools and New York dinner parties. It doesn't seem like Miers (unlike John Roberts or Anthony Kennedy or Frum or Bill Kristol) has ever aspired to any of that stuff . . . Why would she turn away from the people she has surrounded herself with all her life (conservative Christians from Dallas) in order to gain entry to an appreciative welcome at a Columbia Law School reception, where she'll probably never be progressive enough or cool enough anyway?"

This is worse than silly. It's dangerously psychologically unrealistic. Ask yourself who is more likely to be immune to the smiles and frowns of the Harvard Law faculty: John Roberts, who spent three years at the place winning every prize it had to offer while rejecting its dominant philosophy? Or a nervous woman from Texas uncomfortably aware that even her own strongest supporters concede that she is "not cool enough"?

The one thing you know about the young men and women who have fought their way through elite legal institutions while being hissed and booed in class for expressing their principles is: They are not opportunists. It is certainly possible that the same might be true of a lawyer who spent her entire career in environments where conservatives rather than liberals governed her advancement and promotion. It is equally possible, though, that she might be a conservative only by adaptation—and that when her environment changes, so will she.

We cannot know. What we can know is this: Again and again this administration has sounded bold Reaganesque themes—tax cuts and Social Security reform at home, a war to the utmost against terrorism abroad. And again and again the administration has entrusted the job of executing these bold policies to people who don't understand them and often inwardly oppose them. The voice is the voice of Reagan, but all too often the hands are the hands of the first President Bush.

Nor can we always be altogether sure even about the voice. Modern political communication is a nonstop business. It's not enough to announce a policy with a flourish: It must be defended constantly, through thick and thin. This administration too often declines to defend itself in convincing terms—and the result has been a steady erosion of support for its foreign and domestic policies.

In August, the president emerged from his Crawford, Tex., retreat to restate the case for the Iraq war. He offered only shopworn phrases and the haziest generalities—and support for this right and necessary war just went on dropping. The president's failure to speak out swiftly and compassionately about the impact of Hurricane Katrina left him vulnerable to demands for a limitless spending commitment to the Gulf Coast—at a cost so huge that it raises real doubts whether his tax cut can endure it.

And now the president's unwillingness to explain and defend conservative legal principles has impelled him to nominate to the Supreme Court a woman without a record, in the hopes that Senate Democrats will allow her to slide onto the Court unquestioned and unchallenged. Perhaps they will.

But was this really a fight to run from? The odds were favorable. The prize was worthy. The moment was right. What else did we come to Washington for? **NR**

■ **COVER STORY II**

Not Measuring Up

Dismal grades on three tests

JOHN O'SULLIVAN

With the nomination of Harriet Miers, FEMA's absence in New Orleans, the galloping incontinence of the federal budget, and the continuing insurgency in Iraq, President Bush has seemingly entered a time of troubles. His opinion-poll ratings are falling and there are faint signs that Republican congressmen are distancing themselves from him in preparation for the November 2006 elections. The specter of a failed presidency looms.

George W. Bush has presented himself as a strong and principled conservative. Mutual enemies such as conservatives and the media originally accepted his self-portraiture, but conservatives now complain that over-spending, federalizing emergency services, and another Souter is not what they voted for. They cry treason or at least timidity. Is Bush now letting the conservative side down? And does he deserve its criticism and even hostility?

Such questions are rarely answered honestly by partisans. They tend to pick and choose the criteria for judging success or failure. If they like the president, they tend to choose those issues—the John Roberts nomination, the tax cuts—on which he has done well or at least not badly. If they hold him in low regard, they highlight those issues—see the first sentence above—on which his performance has been, ah, mixed.

Let me confess that I, alas, am no different. My reason is, as Macaulay said of Burke, the slave of my passions. On the topic of the Bush presidency, however, I labor under a difficulty that prevents me from simply selecting my criteria to suit the conclusions I want. Rashly, never thinking

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

that this would come back to haunt me, I laid down my standards for judging the success or failure of the Bush presidency in advance. A month or so before September 11, I wrote an NR commentary in which I suggested that all presidencies succeed or fail on a handful of big issues.

What were the big things that Bush 43 had to get right? I suggested three: halting the advance of the regulatory state; restoring national unity to an increasingly balkanized America; and preventing the rise of an anti-American united Europe that would divide the West.

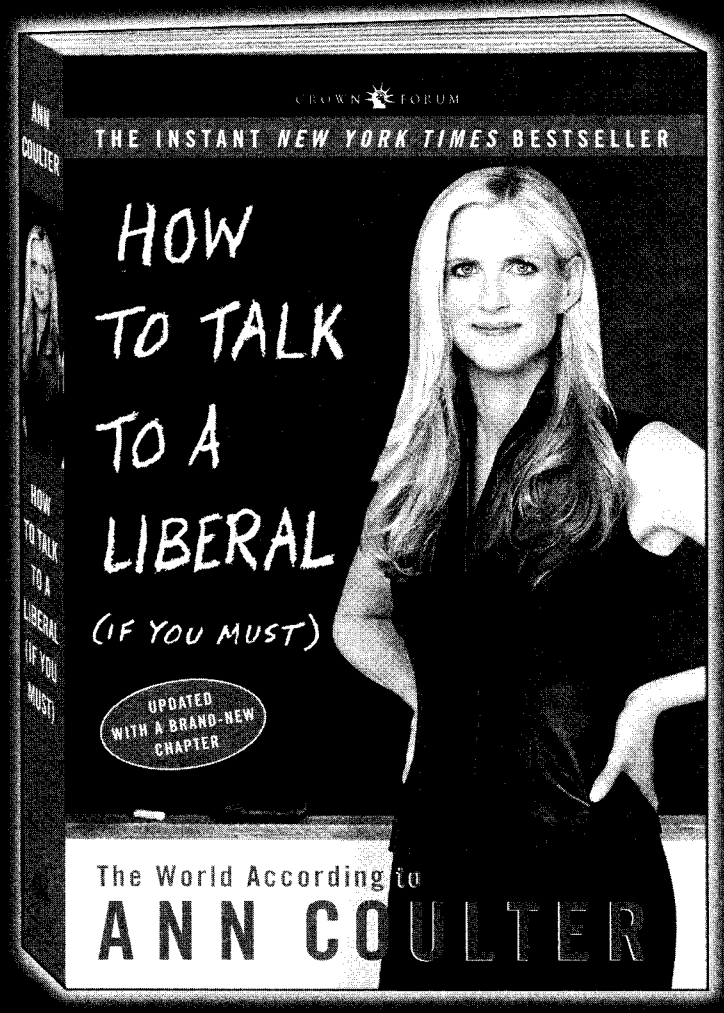
It would be hard to maintain with a straight face that these goals have been achieved. Rather they have receded. We are farther from achieving them today than in 2001. And the threats they were meant to meet are accordingly more dangerous.

Take, first, the test of whether the Bush administration has either halted the advance of the regulatory state or subjected it to more effective democratic control. If this is interpreted narrowly, the administration's record is not bad. According to a very balanced survey by James Gattuso of the Heritage Foundation, the administration has issued fewer new regulations—and the cost of those regulations is significantly lower—than its recent predecessors.

But Bush has a much weaker record of eliminating earlier regulations. The total cost of the hidden tax of regulation remained as high as $843 billion in 2004—or, in Gattuso's words, "almost as heavy as the burden of income taxes." And many of the regulations—such as the airport checking procedures—are worse than useless. Still, credit where credit is due, Bush has a reasonably good record on regulation and deregulation as such.

Unfortunately, that narrow record is dwarfed by the overall growth of government. Domestic discretionary spending has risen faster since 2001 than under any other president since LBJ and Nixon. Federal spending now accounts for over 20 percent—and the federal deficit about 3 percent—of America's GDP. New and expensive entitlements, such as the prescription-drug benefit, will swell that spending in the future, as will unexpected problems like Hurricane Katrina. Much of this runaway spending has been directly urged by the president. None of it has he even attempted to veto.

NATIONAL BESTSELLER
NOW IN PAPERBACK
Find out what everyone's talking about


CROWN FORUM
THE INSTANT NEW YORK TIMES BESTSELLER
HOW TO TALK TO A LIBERAL (IF YOU MUST)
UPDATED WITH A BRAND-NEW CHAPTER
The World According to
ANN COULTER

FULLY UPDATED FOR 2005
Includes never-before-published pieces that squeamish editors rejected and
a brand-new chapter on "gigolos, document forgers, food throwers, and other distinguished liberals."
Discover why "Nothing too extreme can be said about liberals."

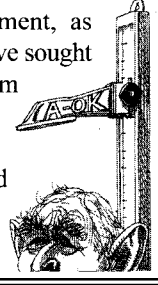
THREE RIVERS PRESS A member of the Crown Publishing Group

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

That leaves the tax cut as the president's principal claim to have restrained the advance of government. Tax cuts, as well as stimulating growth, are supposed to restrain government spending. Since spending has not been restrained, however, Bush's tax cut will eventually provoke a fiscal crisis. And the most likely outcome of such a crisis is the reversal of the tax cut in whole or in part. Leviathan would then sprawl uncontrollably outwards as if George W. Bush had never been born.

The second test was whether Bush would be able to halt the drift—or rather "government-enforced stampede"—toward an America balkanized into ethnic, cultural, and linguistic tribes. In 2001 I speculated that maybe Bush was on the wrong side of this issue since he had equivocated on racial preferences and supported bilingualism. He has since removed all doubt on that score. Spending on bilingual education has risen sharply. He is vigorously pushing an immigration policy that would amnesty existing illegal immigrants and admit as many new immigrants as businesses wanted to employ without limit. Above all, when finally given the chance to end the un-American regime of racial preferences, the White House refused.

The pity of it is that September 11 gave Bush the perfect opportunity to stress the common interests and destiny of all Americans and to forge a new politics of unity and assimilation. "United We Stand" was the all but universal sentiment. It needed only to be given political content. Both Roosevelts would have instinctively exploited this national mood to move away from ethnic separatism and to shape an inclusive Americanism subtly tied to their own parties. They would have warned against any anti-Muslim sentiment, as Bush did, but they would also have sought expressions of loyalty from Muslim leaders. Instead, the Bush administration went into full "diversity" mode. Most notoriously, it insisted that its airport checking procedures would be rigorously neu-



equals—and among some pretty hostile equals at that. That boils down in practice to whether Europe will develop as a loyal U.S. ally, or as a rival superpower. A Machiavellian statesman would presumably recommend lavishing elaborate compliments on the Europeans while quietly discouraging their unification. The Bush administration has done the reverse with a kind of perverse consistency. It has continued the traditional State Department policy of encouraging European unity—most recently when Secretary of State Rice praised the European Union constitution on the eve of its referendum defeats—while every now and then snubbing or sneering at the Europeans. A wave of serious anti-Americanism is now sweeping Europe, which, despite earlier assurances, is developing a defense system separate from NATO.

We have been saved from the worst consequences of this policy, however, by the French and Dutch voters who have at least temporarily derailed the European project and thus delayed any emergence of a united anti-American Europe. Indeed, they have done more than that. They have focused attention on a series of European crises—the Turkey crisis, the Ukraine crisis, the demographic crisis, the structural economic crisis, the post-referendum legitimacy crisis—that probably cannot be solved within a purely European framework. That gives the Bush administration the chance to offer to help Europeans solve these crises in a new and wider Atlantic architecture. In the course of doing so, Washington would be able to influence the kind of Europe—decentralized, deregulated, inter-governmental, Atlanticist—most congruent with long-term U.S. interests. But this is the Bush administration's last chance on Europe.

On my three tests, then, the Bush presidency has not gained even one passing grade. If it has not actually failed, that is because the time limit has not yet run out. And with only three years to go, the president has to hurry. He needs a posi-

■ POLITICS

Ronnie vs. Tom

The real fight behind the DeLay case

BYRON YORK

THERE's no all-purpose guidebook for such things, but generally when a Washington official is indicted, he confidently proclaims his innocence and then announces—with great regret—that he will not be able to say anything more about the case. That's how it's usually done, but it's not how House majority leader Tom DeLay chose to do it.

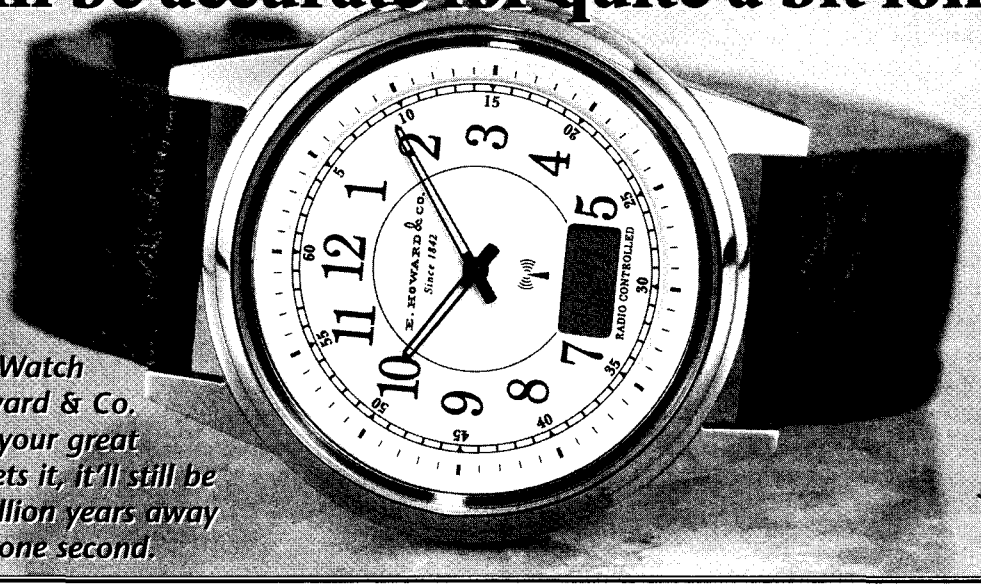
"This morning, in an act of blatant political partisanship, a rogue district attorney in Travis County, Texas, named Ronnie Earle charged me with one count of criminal conspiracy," DeLay told reporters in Washington on September 28, hours after he was accused of campaign-finance-related violations. The indictment, DeLay continued, was "a reckless charge wholly unsupported by the facts. This is one of the weakest, most baseless indictments in American history. It's a sham, and Mr. Earle knows it."

With that, DeLay pretty much set the stage for what will be known in the courtroom as *The State of Texas* vs. *Thomas Dale DeLay*, but will be known everywhere else as Ronnie vs. Tom.

In one way, Earle opened himself up to the attack by choosing to include almost no evidence against DeLay, not only in the first indictment of DeLay on conspiracy charges, but also in a hastily drawn second indictment on money-laundering charges handed up on October 3 (many of the crimes alleged in the indictment are said

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

It will stay in your family for centuries, it will be accurate for quite a bit longer.



The Atomic Watch from E. Howard & Co. By the time your great grandson gets it, it'll still be almost 6 million years away from losing one second.

Call Today for FREE Shipping

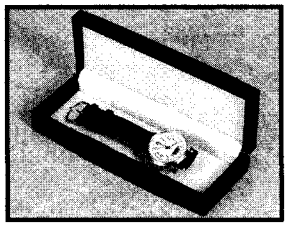
For centuries, if someone wanted a watch worthy of passing on to future generations, it had to come from Europe. Then, in 1842, a small American manufacturer of fine timepieces began to produce clocks and watches that rivaled those of the Europeans.

Since then, the expert watchmakers at E. Howard and Company have been known around the world for the accuracy and classic elegance of their timepieces. Now, they've developed the Continental Atomic Wristwatch-blending quality craftsmanship, distinctive design and atomic accuracy into one watch. It's destined to be in your family for years, and it's guaranteed to be accurate to within a billionth of a second.

Never set your watch again. The reason this watch is so accurate is because it gets its signal from the official US Atomic Clock in Fort Collins, Colorado. The standard for timekeeping throughout the US, the Atomic Clock uses sophisticated technology to measure the vibration of atoms, which is constant. For this reason, it is accurate to within a billionth of a second, and it will take approximately 6 million years for it to lose a second! Until now, watches designed to receive the radio signal had to have plastic cases. Now, "America's Timekeeper" has created a high-quality analog watch in silver and gold plated styles. The watch is designed so that it can still receive the signal-so you get traditional elegant styling with modern timekeeping accuracy. Once you've selected the proper time zone, you never have to touch it again. It automatically adjusts for Daylight Savings Time, 30-day months and leap years. It comes in an elegant wooden box with the E. Howard name and a numbered certificate of authenticity.

Designed for a lifetime of accuracy. This finely crafted watch blends past and future with an elegant, easy-to-read analog display and a handy digital readout, showing Day and Month, Seconds, or US Time Zone at the touch of a button. This good-looking watch is also tough, with a scratch-resistant crystal and polished silver or gold stainless steel case that's water resistant.

Try it now with our exclusive home trial. No one has sold more Atomic Watches than we have, and this is the one that met our high standards for looks and performance. We are so sure that you will like it too that we are offering it with our exclusive 90-day home trial. If you are not completely satisfied with the watch for any reason, simply return it within 90 days for a refund of the purchase price.



E. Howard Continental Atomic Watch

Item # ZR-4176 **$99.95**

Also Available in Gold, ask for pricing details

FREE shipping a $9.95 value.

Please mention promotional code 30428.

For fastest service, call toll-free 24 hours a day

888-464-1788

We accept all major credit cards, as well as payment by check with ClearTran™ over the phone. To order by mail, please call for details

*first*STREET™
INNOVATION & TECHNOLOGY: SEE IT HERE FIRST
formerly TechnoScout®

1998 Ruffin Mill Road
Colonial Heights, VA 23834

www.firststreetonline.com

41298

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

law against corporate political contributions.

It was that very lack of specificity—coupled with the arcane nature of the law involved—that allowed DeLay to turn the indictments into a question about Ronnie Earle. If there had been clear, solid evidence of misconduct in the charges, then the public and the press would have had actual facts to work with, some grounds on which to say that DeLay did wrong. But there wasn't. So now it is the congressman versus the prosecutor. And the early rounds appear to go to . . . the congressman.

For years, at least as long as the investigation has been going on, DeLay's defenders have portrayed Earle, an elected Democrat, as a partisan prosecutor out to bring down a strong Republican leader. To support that charge, they point to Earle's high-profile indictment of Republican senator Kay Bailey Hutchison—a charge that was thrown out of court in what was undoubtedly Earle's greatest professional failure—as well as Earle's attendance at a May 12, 2005, fundraiser in Dallas for a Democratic group called the Texas Values in Action Coalition. That organization was formed to "raise campaign money and take control of the state legislature from the GOP," according to the article in the *Houston Chronicle* that originally reported Earle's presence at the event. In his remarks there, Earle talked about the DeLay investigation. "This case is not just about Tom DeLay," he said. "If it isn't this Tom DeLay, it'll be another one, just like one bully replaces the one before."

For their part, Earle's defenders point out that he has prosecuted more Democratic politicians than Republicans, although all of the Democrats were smaller fry than DeLay and Hutchison. But there may be another explanation.

Of course Earle is a Democrat. He wants to see Democrats win elections. But in his prosecution he may be driven by a passion that exceeds even partisanship: an almost evangelical desire to rid the political system of what he believes is the evil influence of money. Combine that with Earle's well-known taste for publicity, and you have a potent mix.

Both are on display in a new movie, *The Big Buy*, by two Texas filmmakers, Mark Birnbaum and Jim Schermbeck. Earle gave the team what Birnbaum called "extraordinary access" to his office during the DeLay investigation. The resulting movie—it's being finished now, but NATIONAL REVIEW obtained an advance copy—bills itself as a "crime story," with DeLay as the criminal and Earle as the cop.

A cop—and a preacher. "The root of the evil of the corporate and large-moneyed-interest domination of politics is money," Earle says in the film. "This is in the Bible. This isn't rocket science. The root of all evil truly is money, especially in politics. People talk about how money is the mother's milk of politics. Well, it's the devil's brew. And what we've got to do, we've got to turn off the tap." (When the film finally comes out, many viewers will undoubtedly point out that the Bible says it is the love of money that is the problem, not the simple existence of money, but the scene underscores Earle's sense of righteousness as he approaches the DeLay prosecution.)

In *The Big Buy*, Earle also describes corporate political contributions, which are outlawed in Texas, as "every bit as insidious as terrorism." He also suggests that other crimes—he mentions murder, rape, robbery, theft, and child abuse—might spring from alleged misdeeds like DeLay's. "It's hard to see the connection between the abuse of the democratic process and dealing crack, for example, or robbing a 7-11," Earle says, "but there is a connection, and my people are beginning to understand that."

Finally, Earle believes that he, Ronnie Earle, is the man to spread the message. "I feel great pressure to get the information to the public," he says, "to point, to set a tone and to point a direction, and to say which hill needs to be taken."

The Ronnie Earle that emerges from *The Big Buy* is a man with an unshakable determination that he is right and an almost messianic desire to spread the word. What he has beyond most other people who share those traits is the ability to use the power of the Travis County District Attorney's Office. And use it he will. "It's important that we forgive those who come to us in a spirit of contrition and the desire for forgiveness," he explains in the movie. "But if they don't, then God help them." (The film then dissolves to a picture of DeLay.)

Now, it may turn out that Earle has some compelling evidence against DeLay that only he knows about. But in public at least, his case looks weak, which may end up helping the man Earle wants to convict. In the long run, of course, if DeLay is not guilty, he might well be strengthened by having been unfairly attacked. And even in the short run, Earle's indictment might be a benefit for its target.

In this way: Many Republicans, both in Washington and in Texas, are concerned about DeLay's connections to the lobbyist Jack Abramoff, now under indictment for some alleged crimes and under investigation for a variety of others. Some who might otherwise be DeLay allies know that Abramoff is bad news, and they are wary of DeLay's ties to him: Last April, NATIONAL REVIEW's editors wrote, "You can choose your friends, and DeLay's supporters cringe to see sleazy insiders like Jack Abramoff profiting from their relationship with him." Given that, few conservative commentators have been inclined to support DeLay, for the simple reason that they didn't know what other evidence might exist to tie him to Abramoff.

That's where Ronnie Earle comes in. By indicting DeLay on one specific, limited, and possibly unjustified charge, Earle has allowed DeLay's reticent allies to defend him on that one specific, limited, and possibly unjustified charge. And right now, DeLay is happy to get the help.

That's surely not what Ronnie Earle had in mind, but it is the practical effect of *The State of Texas* vs. *Thomas Dale DeLay*. **NR**

ROMAN GENN

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

From Classic Rock to Classical Jazz...

From LP's to CD's...your favorite music from any era

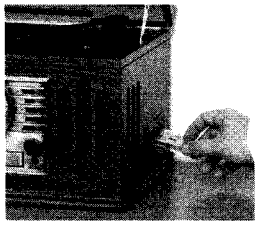
Discover one of the most timeless designs ever created and pay homage to a great American pastime with the Crosley Conductor.

I remember when the big bands were the kings of swing and Elvis and the Beatles were just starting to revolutionize the music scene. I remember hearing Bing Crosby and Glenn Miller on my parents record player—the one that looked like furniture but sounded great. That player was so beautiful that I look for vintage styles like that for my home today. My love for music has grown from the Beatles and Elvis to Norah Jones and Bruce Springsteen. But today's high-tech audio equipment just doesn't fit with my home's classic style. That's exactly why I want to tell you about the Crosley Conductor.

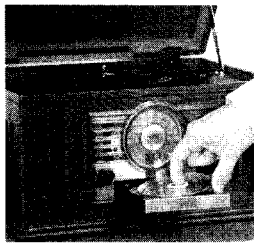
One of the most timeless designs ever created.

The Crosley Conductor was painstakingly rendered after the original I've come to know and love. The authentic design and audio performance come together to remind me of yesteryear but sound like today. This reproduction features extraordinary finishing touches like brass accents, heavy-duty hardware, and of course the famous Crosley seven step, hand rubbed furniture-style finishing process.

Fully functional for today's music.



If you have classic LP's or digital CD's the Crosley Conductor is ready for your music collection. This musical masterpiece features an analog AM/FM stereo radio, 3-speed record player, compact disc player and a side mounted cassette deck. This audio equipment has that hard-to-duplicate warmth that became so treasured several decades ago.



Try the Crosley Conductor in your home for 30 days and if your not thrilled listening to your old LP's and the latest CD's that you bought this week, just send it back for a full refund of the purchase price.

The History of Crosley Radio

The year was 1920—Powel Crosley founded the company that pioneered radio broadcasting and mass-market radio manufacturing. Dismayed with the $130 price tag for the radio receiver he promised to buy for his son's birthday, Crosley decided to make his own. Upon successfully building a working set for only $35 Crosley was quick to spot the mass market potential. His idea was a simple one. Design a fully functioning radio, meticulously craft each unit with obsessive detail and precise accuracy, and of course add a measure of consideration for the wallet.

Call now to take advantage of this limited offer.

The Crosley Conductor
Three payments of $59.95 + S&H

800-859-2092

NEXTTEN

Promotional Code CRR177-01

Please mention this when you call.

To order by mail, please call for details.

14101 Southcross Drive W.,
Dept. CRR177-01
Burnsville, Minnesota 55337

For fastest service, call toll-free 24 hours a day **800-859-2092**

For information on all our products: www.NextTen.com

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

■ POLITICS II

Career Criminalizer

What the Earle of Austin has done

STEPHEN SPRUIELL

In 2002, Republicans took control of the Texas house for the first time since Reconstruction, setting in motion a process of congressional redistricting that led to the addition of five Republicans to the state's U.S. House delegation. Shortly after the 2002 elections, Travis County district attorney Ronnie Earle launched an investigation that would touch nearly every Republican involved in the 2002 takeover. After almost three years and six grand juries, Earle has succeeded in what he set out to do: He has indicted House majority leader Tom DeLay, the man many Texas Democrats hold responsible for the 2002 takeover and the subsequent redistricting. In the process, he has used abstruse campaign-finance laws to criminalize his political opponents—and demonstrated that these laws should be repealed.

In the months leading up to the 2002 elections, a group called the Texas Association of Business (TAB) put out a series of advertisements and mailers addressing the positions of various state legislative candidates on business issues. The ads avoided using words like "elect," "vote for," "reject," etc.—the magic words that, according to court rulings, change legal "issue advocacy" into illegal "express advocacy." Instead, the group said things like "Ann Kitchen voted 'NO' on giving the reading test next year" and "When it comes to questions about health care . . . can you trust Raul Prado?"

These ads got the attention of Earle, an elected Democrat—especially after fellow Democrats like Kitchen and Prado lost their races and the Republicans won control of the Texas house. In January 2003, the *Austin American-Statesman* reported that Earle had launched an investigation into the financing of the ads. At issue was whether the TAB had used corporate contributions to fund them—a likely proposition, given the group's membership. Under Texas law, corporations are forbidden to contribute to political campaigns. The TAB maintained that its ads were issue-oriented because they did not expressly advocate the election or defeat of any candidate, and were therefore protected under the First Amendment.

First, Earle went after the TAB's list of donors—a move so hostile to the rights of organizations that the ACLU and the League of United Latin American Citizens filed briefs in support of the TAB. The strange political bedfellows all argued that forcing an organization to turn over its donor list threatened its ability to promise confidentiality to donors.

During hearings on the case, Earle compared the TAB to robber barons, Enron executives, and Mussolini-style fascists. According to the *Austin Chronicle*, another prosecutor on his team took it a step further—arguing that if the TAB succeeded there would be nothing to stop a Colombian drug cartel from forming a corporation and spending millions to influence Texas politics. Judge Mike Lynch ordered a compromise: He forced the TAB to turn over some information—the date, amount, and type of business of each donor—but let the TAB keep the donors' actual names confidential (though Earle learned the names of 20 donors when the TAB was forced to turn over documents as part of a civil lawsuit filed by Democratic candidates who lost).

Seeking to strengthen his case against the TAB, Earle tried to connect its ad campaign to the activities of the now-defunct Texans for a Republican Majority PAC (TRMPAC)—a group DeLay founded on the model of his Americans for a Republican Majority PAC (ARMPAC), to help Republicans win state legislative races in Texas. Earle was not able conclusively to link the TAB to TRMPAC, but as his investigation widened, he decided he would also go after TRMPAC for its use of corporate funds. The issue was whether TRMPAC had spent corporate contribution dollars on "overhead or administrative and operating costs," which is legal in Texas, or on political campaigns, which is prohibited.

Earle's investigation revealed that TRMPAC had spent some of the money it received from corporations on polling, phone banks, and other activities that its lawyers argued were not candidate-specific and therefore shouldn't be counted as contributions to political campaigns. As in the TAB case, these distinctions between express advocacy and other types of political activity did not concern Earle. He argued that because the activities were political in nature, funding them with corporate money was illegal.

Earle also singled out a transaction that involved TRMPAC, the Republican National State Elections Committee (RNSEC), and seven Republican candidates for the Texas legislature. In September 2002, TRMPAC sent a check for $190,000 in soft-money (corporate) donations to RNSEC, where lawyers and accountants put it in a separate account for corporate money. Corporate money cannot go to state elections in Texas, but it can go to elections in states like California or Virginia. RNSEC then sent checks from separate hard-money accounts totaling approximately the same amount to the Texas candidates the following October. Earle alleged that, taken together, these legal transactions constituted illegal money laundering—a first-degree felony—because the effect was to circumvent the ban on corporate money. Earle's case rests on his allegation that TRMPAC sent a document along with the checks directing RNSEC to distribute the money to the Texas candidates. TRMPAC lawyers say that doesn't matter, because the transactions were legal.

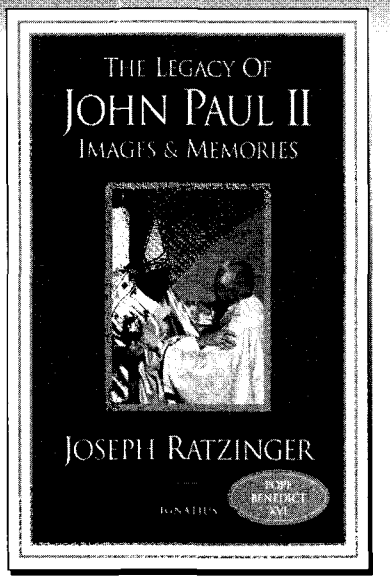
In September 2004, Earle convinced a grand jury to indict TRMPAC director John Colyandro, ARMPAC director Jim Ellis, a corporate fundraiser named Warren Robold, and eight corporations for TRMPAC's use of corporate funds, including a count of money laundering against Colyandro and Ellis for the TRMPAC-RNSEC money swap. In September 2005, he convinced a grand jury to indict the TAB for its corporate-funded issue ads. A few weeks later, he convinced a grand jury to indict DeLay for conspiracy to violate the Texas Election Code regarding the TRMPAC-RNSEC matter.

Mr. Spruiell writes the media blog for National Review Online.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

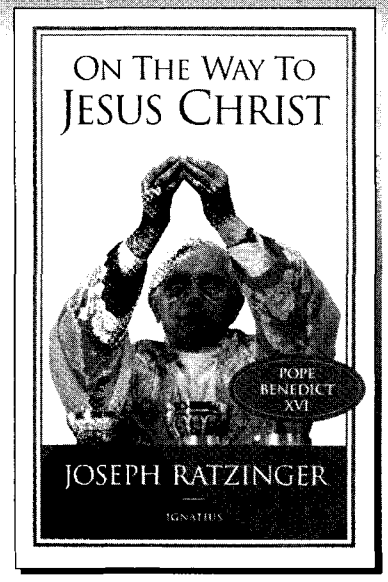
New Inspiring Books From
POPE BENEDICT XVI

The Legacy Of John Paul II
Images and Memories



A glorious photo-gift volume with inspiring insights by Joseph Ratzinger, now Pope Benedict XVI, about his personal memories and experiences in working side by side with Pope John Paul II for almost 25 years. The unique combination of a book about the greatly beloved John Paul II by his successor, the present Pope, makes this an attractive book for all those countless admirers everywhere of John Paul. With over 100 colorful and moving photos by Vatican photographer Giancarlo Giuliani (some never before published) of the many memorable highlights and poignant moments of the papacy of John Paul II, this volume featuring two of the greatest spiritual leaders of our times is certain to have a wide appeal.

1-58617-122-4 . . . 120 pp, 7 x 10, Hardcover, $19.95

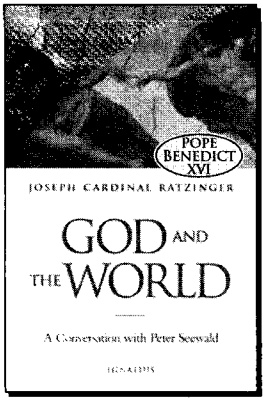


On The Way To Jesus Christ

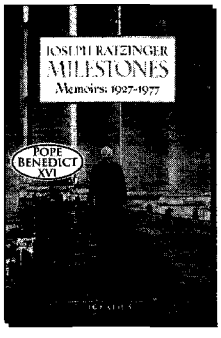
A powerful book by Pope Benedict about the person of Christ as seen in the Gospels. Stating that, while Jesus Christ is as popular as ever today, Benedict says that oftentimes the popular Jesus is not the Jesus of Christianity. He says the popular Jesus makes no demands and never challenges us. But, Benedict says, "the Jesus of the Gospels is quite different, demanding and bold. The Jesus who makes everything OK for everyone is a phantom, a dream, not a real figure. The Christ of the Gospels is certainly not convenient for us. But it is precisely in this way that he answers the deepest questions of our existence, which keeps us on the lookout for God, for a happiness that is infinite. We must again set out on the way to this real Jesus."

1-58617-124-0 . . . 185 pp, Hardcover, $19.95

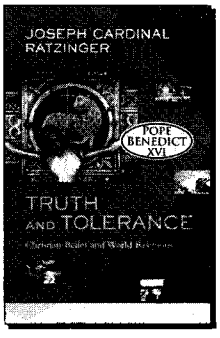
OTHER BEST SELLERS
BY POPE BENEDICT XVI



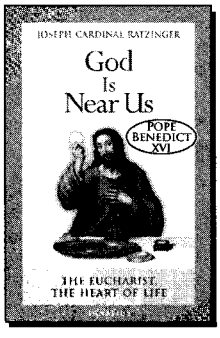
God and the World
Believing and Living in Our Time
460 pp, Sewn Soft, $19.95



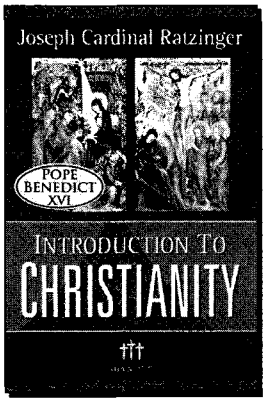
Milestones
Memoirs: 1927-1977
160 pp, Sewn Soft, $12.95



Truth and Tolerance
Christian Belief and World Religions
280 pp, Sewn Soft, $17.95



God is Near Us
The Eucharist: The Heart of Life
160 pp, Sewn Soft, $12.95



Introduction to Christianity
380 pp, Sewn Soft, $18.95

SEE ALL 23 POPE BENEDICT TITLES AT WWW.BENEDICTXVIBOOKS.COM

WWW.IGNATIUS.COM

ignatius press P.O. Box 1339, Ft. Collins, CO 80522 **1 (800) 651-1531**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

On Monday, October 3, DeLay's lawyers asked a judge to dismiss the charges against him because the conspiracy statute didn't apply to the election code until 2003. Earle, facing the expiration of the statute of limitations, scrambled to get a new grand jury to indict DeLay for both conspiracy to commit money laundering and money laundering. After only one day of hearing evidence from Earle's team, the grand jury complied.

All of Earle's indictments share the same flaw, which is that they are based on what Ronnie Earle thinks is wrong rather than the letter of the law. The most glaring example is the indictment against the TAB, which did nothing more criminal than engage in constitutionally protected speech. How do we know it was protected? For one thing, until the McCain-Feingold law—which took effect *after* the 2002 elections—such issue ads were legal in both federal and state elections.

And they remain legal, to this day, in Texas. Campaign-reform advocates in Texas, such as Fred Lewis of Campaigns for People and Craig McDonald of Texans for Public Justice, have argued that Texas needs to follow the federal government's example and, as Lewis wrote in 2003, "ban the use of corporate money on pseudo-issue ads (ads during the height of the campaign that attack candidates but don't explicitly advocate voting against the candidate)." Lewis, a lawyer, surely wouldn't argue for the state legislature to ban something that was already illegal. So: What did the TAB do wrong?

The indictments against DeLay regarding the TRMPAC-RNSEC matter also fail the test of common sense. Prior to McCain-Feingold, both parties engaged in this kind of soft-money-for-hard-money swap all the time for the purposes of funding state races. An Institute on Money in State Politics study revealed that in October 2002, the Texas Democratic party sent $75,000 to the Democratic National Committee (DNC) and received $75,000 back from the DNC on the same day. In fact, Democrats transferred a total of approximately $11 million from their national party to fund Texas campaigns in 2002, compared with $5.2 million transferred by Republicans. This is not to say the Democrats were doing anything illegal—it's just to illustrate the legal landscape that 30 years of campaign-finance regulation had created by the year 2002.

Ronnie Earle likes to repeat the fact that Texas has had a law banning corporate funding of political campaigns since 1905—but, like most campaign-finance laws passed in that era, it was rarely enforced until the 1970s. Since the 1974 Federal Election Campaign Act, the courts have tried to strike a balance between preventing "corruption or the appearance of corruption" and protecting First Amendment rights, leading to what UCLA law professor Daniel H. Lowenstein has called a "patternless mosaic" of campaign-finance jurisprudence.

This patternless mosaic has created a system of campaign-finance laws that give incumbents more power than challengers, non-profits more latitude than for-profits, and giant news organizations more protection than bloggers. McCain-Feingold did nothing to "reform" the system—it merely criminalized more speech and diverted soft money from PACs to the so-called 527 groups like the Swift Boat Vets and America Coming Together. Now that First Amendment champion Bradley Smith has left the Federal Election Commission, there is little to stop politicians from criminalizing the speech of those groups next. Add to this already bleak mix a U.S. Supreme Court that looked the other way on McCain-Feingold's excesses, and the future of political speech in the United States has rarely looked worse.

Now that a campaign-finance prosecution has targeted one of its own, Congress may wake up to the need for less restrictive laws governing campaign finance, replaced by a greater reliance on transparency. Ronnie Earle is just one example of how a dedicated ideologue can use campaign-finance regulation to criminalize politics: It won't always be a Republican caught in the crosshairs. As Andy Taylor, an attorney for the TAB, says, "The scary thing is that this could happen to anyone if a prosecutor decided he wanted to go after him. The reason the ACLU and LULAC got involved in our case is that they realized that next time, this could be a Republican prosecutor charging them with a violation. It works both ways." **NR**

■ **PUBLIC POLICY**

How Not to Be Poor

When will this country face the facts about marriage and families?

ROBERT RECTOR

As Hurricane Katrina smashed through New Orleans, the nation was riveted by images of mothers and children, left destitute by the storm's destruction. Social critics were quick to call attention to another tragedy lying behind the immediate devastation of the storm: the tragedy of persistent poverty in a nation of abundance. Many in New Orleans, they claimed, were victims, not merely of the hurricane, but of social and economic forces that left them trapped in poverty, at the margins of society. New Orleans became a metaphor for the enduring problem of American poverty.

Historically, New Orleans has had a high poverty rate, especially among children. In 2004, some 38 percent of children were living in poverty, more than double the national average. These figures are a cause of national concern. Why are so many children in New Orleans, and the nation at large, poor? Clearly, limited education and joblessness play a role. But a critical factor, ignored by too many commentators, is the collapse of the family. Nationwide, children born and raised outside marriage are seven times more likely to live in poverty than are children in intact married families. Nearly two-thirds of all poor children live in single-parent families.

Most of the New Orleans poor, wading through flood waters to precarious safety, were black. The press often argues that race, not marriage, is the key to explaining persistent poverty. But in

Mr. Rector is a research fellow in domestic-policy studies at the Heritage Foundation.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

America, race, poverty, and marital collapse are inextricably entangled. Black children have higher poverty rates mainly because blacks have lower marriage rates. Black children raised by married couples are almost as unlikely to be poor as whites raised in the same manner (12 percent to 8 percent respectively). The problem is that comparatively few black families are intact.

Sixty-eight percent of black children are born out of wedlock. This problem is compounded by the fact that (among both blacks and whites) out-of-wedlock childbearing is correlated with low levels of maternal education. Overall, the women who are least capable of supporting a family are the most likely to go it alone.

Liberals often argue that blacks do not marry because black men's wages are not sufficient to support a family. History says otherwise: At the beginning of World War II, over 80 percent of black children were born inside marriage. Black men's wages at the time were $639 per year: around $8,000 in today's terms. The figure is now about $30,000, or nearly four times higher than 50 years ago—but only 32 percent of today's black children are born inside marriage. Historically, black out-of-wedlock childbearing skyrocketed while black men's wages were rising, both absolutely and in comparison to whites. Something other than men's wages must explain the collapse: changing cultural norms, for one, and a welfare system that pays women to remain single.

New Orleans provides stark evidence of the results. There, the out-of-wedlock-birth rate is, like the child-poverty rate, roughly twice the national average. And poverty isn't the only problem created by the absence of fathers. Children raised in single-parent homes are much more likely to have emotional and behavioral problems; to fail in school; to abuse drugs; and to become involved in crime.

Marital collapse is also the primary cause of welfare dependence in the nation. Last year, government spent over $200 billion on means-tested aid for low-income families with children. Some three-quarters of this sum went to single-parent families.

Among all races, nationwide, roughly one child in three is now born out of wedlock. Half of the single mothers are cohabiting with fathers at the time of birth. While these men may not be stellar earners, they have, on average, higher earnings capacity than the women do. Detailed survey data show that if poor single mothers were married to the fathers of their children, some 60 percent would be immediately raised out of poverty.

The women who are least capable of supporting a family are the most likely to do it alone.

A second major cause of child poverty is a low level of parental work. Even in boom years, poor families work, on average, only 800 hours per year. This translates into 16 hours per week. If the level of work in each poor family were raised to 40 hours of work per week through the year, the child-poverty rate in America would be cut by 70 percent. National welfare reform, which created the Temporary Assistance to Needy Families (TANF) program in 1996, significantly increased levels of parental work. Welfare mothers were required, for the first time, to prepare for employment or perform community service in exchange for benefits. As a result, welfare caseloads plummeted, employment of single mothers rose, and poverty among blacks and single-parent families fell dramatically.

Unfortunately, TANF work requirements have lapsed. Renewal has been stymied in the Senate for several years, leaving welfare reform little more than a hollow shell. The work rules must be reinstated, and similar requirements established in such programs as Food Stamps and public housing. But imposing work on welfare mothers is insufficient to meet the most serious problems of the poor. Making single mothers work may raise incomes somewhat, but it has little effect on the surrounding culture of the underclass: drug abuse, promiscuity, and violence. These pathologies will not be uprooted by mere work requirements. A real war

The Department of Defense and Strategic Studies

Master of Science Degree in Defense and Strategic Studies

Missouri State University in Washington, D.C.

For those students seeking careers in the intelligence and national security community

For more information and to apply, visit http://www.missouristate.edu/dss or call (703) 218-3565

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

against poverty must be a campaign for moral renewal; its heart must be a long-term effort to rebuild marriage.

Columnist William Raspberry has proposed a reasonable first step for this process. He argues, quite simply, that at-risk young adults must be told the basic truth that "non-marriage has consequences"—most of them harmful. Raspberry asks: "Isn't it worthwhile to spend more time and resources helping young people to understand the economic implications of single parenthood *before* they become single parents? Wouldn't it make sense to rethink our relatively easy acceptance of out-of-wedlock parenting?"

The sad reality is that the truths about marriage are almost never explained to the poor. Government spends billions each year providing near cradle-to-grave services for single mothers, but nowhere in the process is one likely to find any useful information, or a kind word, about marriage. President Bush has proposed a marriage policy that mirrors Raspberry's ideas. Dubbed the "healthy marriage initiative," the plan is future-oriented, aimed at reducing the next generation of out-of-wedlock births. It would inform young people in at-risk communities of the long-term benefits of marriage and the perils of single parenthood. It would provide low-cost training in relationship skills that are helpful to a marriage. Finally, it would experiment with reducing welfare's penalties *against* marriage. Since the social and economic costs of single parenthood are huge, and the costs of the proposed pro-marriage activities very low, a marriage-strengthening program can be cost effective with even a modest success rate.

Moreover, the Bush proposal would impose no new costs on the taxpayer; instead, it would divert a minute slice of existing welfare spending ($300 million per year) into pro-marriage activities. If the healthy-marriage initiative were enacted, government would spend only one penny on strengthening marriage for every $5 it spends subsidizing single parents. Nonetheless, liberals remain ambivalent; the president's marriage initiative has languished in the Senate for several years.

There is considerable evidence that many in poor communities would respond positively to this commonsense approach. Teen pregnancy and childbearing have gone down sharply over the past decade, in part because society has sent a very clear and consistent message that teen childbearing is a bad idea. Regrettably, the reduction in teen births has simply meant that girls are waiting until they are a little older before giving birth out of wedlock. Unmarried girls who would have had a baby at 18 now wait till they are 20; little is gained by this. (The typical unmarried mother is now 22 when she gives birth.)

In the middle class, couples first build solid relationships, then marry, and then have children. Among the poor, this sequence is generally reversed: Children are desired and childbearing comes first.

Most unmarried couples who have children are not hostile to marriage. On the other hand, they do not see that marriage should play an important role in the bearing and raising of children. In the middle class, couples first build solid relationships, then marry, and then have children. Among the poor, this sequence is generally reversed: Children are desired and childbearing comes first. Strong relationships and marriage are postponed to some indefinite future. Most unmarried fathers drift off after a few years, leaving the ill-equipped mother and child to struggle on alone.

Sociologist Kathryn Edin has shown that poor women have conventional life goals. They want a house in the suburbs, a husband, kids, and a dog. The difficulty is that they lack a practical plan for achieving these goals. Poor women tend to view marriage as a ceremony, late in life, that celebrates middle-class status. They fail to see marriage as a necessary and demanding pathway leading to social and economic success for themselves and their children. Such faulty ideas lead to bad decisions about boyfriends and babies. The good news is that such confused thinking is fixable, if society makes the effort. Similarly, low-income men are initially attracted by sexual freedom, but often end up disillusioned when freedom leads to a lonely life separated from children and loved ones. Many low-income men were abandoned by their fathers and do not wish to repeat this pattern with their own children; such individuals seem open to change if anyone bothers to help.

Some conservatives may balk at positive government action to strengthen marriage, even on a modest scale. They will claim that the real solution is to eliminate welfare for single mothers: Abolish the rewards of single parenthood and you will end out-of-wedlock childbearing. Even if true, this argument has the drawback that not more than a dozen Republicans in Congress would vote to scale back substantially, let alone eliminate, the large subsidies currently flowing. Ideological chest-thumping about "ending welfare" merely preserves the dysfunctional status quo; meanwhile, marriage withers.

More than 40 years ago, Daniel Patrick Moynihan warned of the tangle of social pathologies that would emerge as marriage eroded. Moynihan was excoriated, and an implicit gag rule developed, muzzling future discussion. Debate about the poor degenerated into a social ritual in which the main cause of poverty was seldom mentioned. The post-Katrina debate follows this pattern. From the right to the left, discussions focus on jobs and construction, joined with occasional proposals about relocating dysfunctional families or voucherizing services. But it is families, not houses, that really need rebuilding. If the proposals continue to ignore the social causes of poverty, they will merely reproduce the original slums of New Orleans in fresh concrete. Twenty years from now, another hurricane will swamp the city and pundits will wonder again where all the poor folks have come from.

The poor deserve more. As the War on Poverty limps into its fifth expensive decade, Republicans should finally face up to the core problem of family disintegration, and experiment boldly. There can be no absolute guarantee of success, but refusal to act will ensure failure. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

■ THE MEDIA

Hold the Self-Congratulation

The media weren't as hot during Katrina as they think

JONAH GOLDBERG

THE mainstream media have had a very rough few years. So rough, in fact, that we no longer use "mainstream media" as an innocuous phrase to describe conventional professional journalism. The Internet has succeeded in getting the mainstream media capitalized and abbreviated (MSM) in order to be singled out and scolded more easily—like a once-powerful apparatchik of the Chinese politburo forced to wear a dunce cap so that throngs of ideological zealots know whom to scorn and children can spot whom to throw old cabbage at.

That's probably about how Dan Rather feels. He still doesn't understand why he's under the professional equivalent of house arrest. Just last month, Rather explained that he wants to reopen the Memogate investigation because he finds it "strange" and "mysterious" that people would doubt the veracity of a man like him. "The facts of the story were correct," Rather insists. "To this day, no one has proven" otherwise. Unfortunately, Rather explains, the honchos at CBS have forbidden him to reopen the story and find the one-armed man to his Dr. Richard Kimble. (What does Karl Rove have up his sleeve? Indeed.)

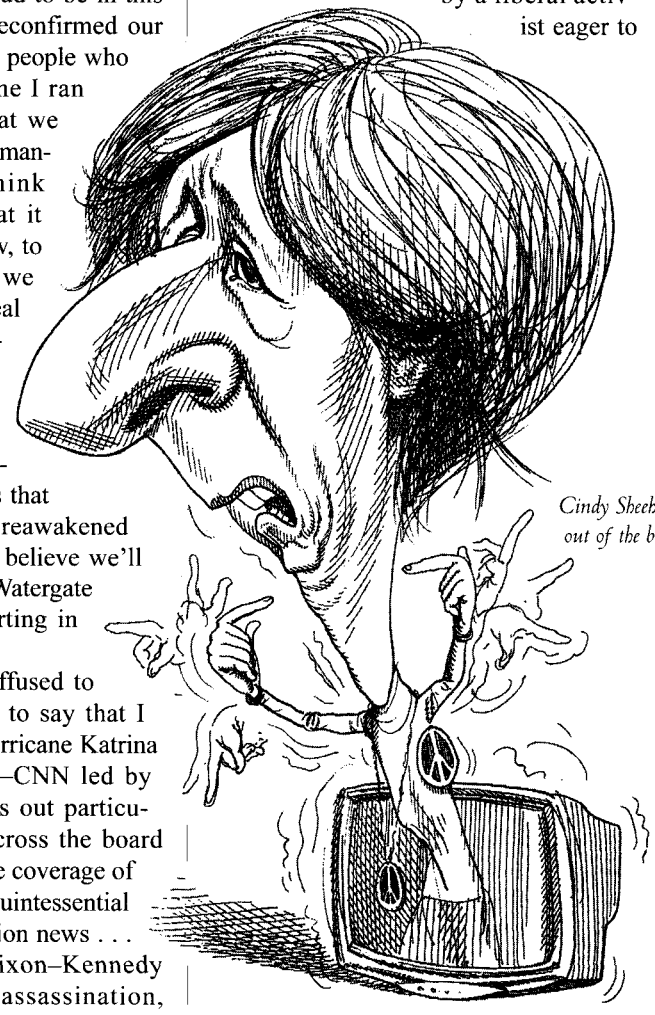
But not everybody in the MSM suffers from such Norma Desmond–grade denial. Which is why the press Brahmins were so quick to claim redemption in the bacteria-frappéd waters of post-Katrina New Orleans. The self-congratulatory message just days after the storm was unmistakable: Katrina had changed everything, and the MSM was born again.

Suddenly the sins of Memogate, Eason Jordan (who admitted to soft-pedalling the evils of Saddam's Iraq in order to guarantee "access" to CNN), *USA Today*'s Jack Kelley (made stuff up), Jayson Blair (really, really made stuff up), Howell Raines (didn't care that Blair made stuff up), and the rest were all forgotten. So was the American press's agonized, Jesuitical debate over whether it is compatible with journalistic objectivity to wear a tiny American flag on your lapel. Gone down the memory hole were the accusations about October Surprises, Dowdisms, and the like. That was all so antediluvian.

In one collective voice, the MSM proclaimed Katrina its finest hour. ABC News has "not stinted to cover the immediate disaster, and we will not stint on resources to cover the post-disaster," promised executive Paul Slavin. "There is no question that the way [the media] have been perceived by the American people has been at a low ebb," admitted temporary CBS anchor John Roberts. "But the last twelve days have been a time when I've been proud to be in this profession. I think we reconfirmed our status as the voice of the people who have no voice. Everyone I ran into was so thankful that we were there." Christiane Amanpour explained, "I think what's interesting is that it took a Katrina, you know, to bring us back to where we belong. In other words, real journalists, real journalism, and I think that's a good thing." A professor of communications at Fordham University assured the Canadian press that Hurricane Katrina "has reawakened the sleeping giant, and I believe we'll now see a return to the Watergate era of hard-hitting reporting in the United States."

Dan Rather himself effused to Larry King: "I do want to say that I think the coverage of Hurricane Katrina right across the board—CNN led by Anderson Cooper stands out particularly—but everybody across the board did such a good job." The coverage of Katrina was one of the "quintessential great moments in television news . . . right there with the Nixon–Kennedy debates, the Kennedy assassination, Watergate coverage, you name it."

That statement reveals the first of several problems with the media's attempt to find baptismal redemption in Big Easy sludge. Rather's idea of what made the press great in the past is among the things that qualify him for his dunce cap. The Nixon–Kennedy debates remain the most enduring example of television's preference for style over substance: Nixon lost the debate because he had a five o'clock shadow while Kennedy looked like he could be, well, a news anchor. The Kennedy assassination was truly a profound moment in American history, and was second only to Rather's fetish for hurricanes in boosting the young newsman's career. But, as Philip Chalk reported in *The Weekly Standard* last March, Rather got himself noticed by network brass by broadcasting a story he knew to be false about an elementary-school class's supposedly cheering at the news Kennedy had been killed. The lie had been peddled to him by a liberal activist eager to



Cindy Sheehan, out of the box

ROMAN GENN

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

disparage conservative Dallas as "the city of hate." And, yes, Watergate involved a lot of serious and worthwhile journalism, but even here the motivation was surely equal parts dedicated journalism and hatred of Nixon.

But that's how good journalism was always defined at CBS and other temples of the MSM. Just one example from a very thick file: Rather's old CBS colleague Daniel Schorr asserted on air that Barry Goldwater's pre-convention vacation in Germany was clear evidence that the Republican senator was determined to "link up" with neo-Nazi elements, and his meeting with the commanding general of the American Seventh Army—which happened to have a recreation area at Berchtesgaden—was a sign that the Arizonan would be launching his campaign in what was "once Hitler's stamping ground."

The second problem with the post-Katrina redemption narrative is that coverage of the hurricane was indisputably partisan. Almost from the outset, the Bush administration was blamed for nearly the entire debacle. FEMA director Michael Brown, although far from faultless, was painted by vengeful media as singularly inept and unqualified, a remarkably unfair charge given New Orleans mayor Ray Nagin and Louisiana governor Kathleen Blanco's pas de deux of incompetence. The *New York Times*'s ombudsman practically had to use the jaws of life to pry an admission from the paper that Brown was not former FEMA head Joe Allbaugh's college roommate. More broadly, the Katrina-has-changed-everything chorus sought to use the disaster to prove that all of the liberal nostrums about race and poverty had finally been verified.

The third problem is that not only were such nostrums not verified, but neither were the underlying reported "facts" that much of the coverage hinged on. Yes, New Orleans was flooded. Yes, people died. But nearly all of the reports of rape and murder that gave the story its most poignant drama and sense of worsening calamity were simply not true. The New Orleans *Times-Picayune*, to its everlasting credit, chased down the stories of rape gangs and bodies stacked like cordwood and found that they were false rumors. There was not one confirmed murder in the Superdome. Not one. Keep in mind, most of these stories came out of places the media had access to. The Superdome and convention center were within the New Orleans "green zone," as it were. Yet the press—including Fox News's Shepherd Smith—reported unconfirmed stories of murders as though they were fact. Armies of outraged anchors simply took the word of local and state Democratic politicians who were recycling newly minted urban legends. CBS had 200 staffers covering the New Orleans story, and the other networks committed similar resources—and yet they consistently got the most sensational aspects of the story wrong.

And, one must concede, so did many conservatives, including yours truly. For reasons good and bad, many of us simply assumed that local politicians were telling the truth, and that the journalists on the scene had done due diligence to get right what they called one of the biggest stories of the century. It is an interesting question why so many of us were willing to believe that the same media that had beatified Cindy Sheehan would, on a dime, do their job fairly and accurately in New Orleans. The answer probably has something to do with the banality of hurricane reporting in general and the power of sensational claims in particular: How could the press report that babies are being raped in the Superdome if it wasn't true?

Just as easily, it turns out, as it could report that a dimwitted, rabidly anti-American radical willing to wave her own son's bloody shirt was simply a bereaved mom who wanted to ask the president a few questions. Just as easily as it could report that Goldwater was a crypto–storm trooper. Just as easily it could proclaim that George H. W. Bush had never seen a supermarket scanner. Just as easily as it could swear the Baghdad museum was looted. Just as easily, just as easily, just as easily . . .

Jack Cafferty, Anderson Cooper, Shepard Smith, and many others took to the airwaves night after night, day after day, denouncing the federal response. "How is it possible that we're getting better intel than you're getting?" CNN's Soledad O'Brien demanded to know of Michael Brown. His answer should have been: "You're not." **NR**

■ CULTURE WATCH

The Meaning of Beheading

All too sad to explain

THEODORE DALRYMPLE

In the days when murderers in Britain could still be executed by hanging, the Home Office used to receive five unsolicited applications a week for the position of hangman (not even the most rigidly doctrinal feminist has ever demanded that we use the word hangperson). The desire to kill one's fellow beings in the pursuit of a good cause, in this case the preservation of law and order and the prevention of murder, is therefore quite widespread, even under the most civilized conditions.

There is no doubt that a good execution has its attractions. Once when I arrived in the northern Nigerian city of Maiduguri, I found it deserted, a ghost city: Everyone was away at the public executions. The television report later that day said that the crowd was very nearly disappointed, because the execution ground had been waterlogged, but fortunately—at least for the spectators—a dry area was found into which the stakes could be driven so that the criminals could be shot after all.

Doctor Johnson thought that, if one of the purposes of an execution was to deter, it should be held in public. Certainly public executions were very popular, and in the past everyone loved a good one: When Dr. William Palmer, for example—the Prince of Poisoners—was hanged at Stafford Gaol in 1856, the number of spectators exceeded the population of the town by three times. (Palmer was in advance of his time as far as the precautionary principle was concerned. Approaching the somewhat rickety and ramshackle scaffold with the hangman, he

Dr. Dalrymple is a contributing editor of *City Journal*, and the author most recently of *Our Culture, What's Left of It: The Mandarins and the Masses.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

turned to him and asked, "Is it safe?")

Charles I was beheaded with an axe: Such a death was considered nobler and more dignified than mere hanging, a form of execution unbecoming for the upper classes. Beheading remained the prerogative of the well-born in Europe until Dr. Guillotin, in the name of humanity, proposed his democratic beheading machine after the Convention decreed in 1792 that all executions henceforth should be by decapitation; the machine swiftly proved popular with the crowds and was last used in public in France in 1939. There was once a considerable and learned medical debate in France not only about the most humane method of severing the head from the body, but about whether consciousness survived beheading, the lips and eyes of the beheaded having sometimes been seen in the basket to move for some seconds after separation from the neck.

Since then, our sensibility in the matter of decapitation has changed greatly. During the war the Japanese beheaded many of their prisoners, not as a tribute to their nobility, but as an expression of complete contempt for them. This provoked our revulsion. Beheading of any kind henceforth seemed to us barbaric and primitive. One might have moral qualms about the hygienically sound, quasi-medical, almost euphemistic executions by injection that take place in chambers bearing a too-close resemblance to operating rooms, but no one would propose beheading as an alternative.

Except, of course, in the Islamic world. There has been no change of sensibility there, at least in two important Islamic states and among Islamist terrorists. Saudi Arabia still favors public beheading as a means of execution, and Iran has used it in special cases. But of course it is the terrorists who use it to the greatest effect. The video of the beheading of Daniel Pearl, the writer for the *Wall Street Journal* who was killed in Pakistan, is among the items regularly seized by British police during raids on households suspected of harboring Islamist terrorists. The video is used as recruitment propaganda.

Islamists have beheaded hostages and opponents in Algeria, Chechnya, Iraq, Nigeria, the Philippines, and Thailand. In late June, for example, a traveling salesman from northern Thailand was publicly beheaded by Islamists outside a teashop in southern Thailand and his head thrown away a mile or two down the road by his executioners. No doubt this will stifle theological debate in the area for some time.

You don't have to be a follower of Jung to discern something deeply symbolic in these beheadings by self-appointed executioners. To sever the head from the body, at least nowadays when we have a more refined sensibility, is not merely to kill: It is symbolically to annihilate not only the biological existence of the beheaded, but the very thoughts he has had during his lifetime. To throw away a head as if it were a worthless inanimate object is to deny in the most categorical way possible any ideas that it might have had while living. It is to imply that only correct thoughts can henceforth be allowed to exist in heads, the kind of thoughts that the executioners themselves have; not until there is unanimity in thoughts, they imply, will our heads rest easy on our shoulders.

One hardly needs to emphasize the terrifying demonstration effect of the decapitation of supposed infidels by people to whom plenty of bullets are available as an alternative, swifter, and more certain method of procuring death. We conclude, as we are intended to conclude, that these are fierce and ruthless people whose belief in their own desert-tribal righteousness is unshakable. We should never forget that to commit barbarity in the name of righteousness is one of the greatest joys known to man—or at least to many men—and not just to Islamists, though at the moment it is they alone who have the courage of their barbarity, and rejoice publicly in it.

But is beheading Islamic? Clearly it is not uniquely so, or it would have been unknown elsewhere, which is certainly very far from the case. Nevertheless, in the modern world at least, beheading seems to be largely the prerogative of people acting in the name of Islam. This is a sociological fact, whatever the doctrinal justification for it. But is beheading permitted or enjoined or forbidden by true Islam?

Someone unversed in classical Arabic is, of course, dependent on translations, but translations of the very same verse of the Koran that is relevant to the question vary so much that it is impossible to be sure what the verse really means. Some say that the verse means only that the neck of an enemy may be struck, and that this by no means entails that he may be killed; others that his throat can be cut, à la Theo van Gogh, but that he cannot be decapitated; others again that beheading is permitted, but only under the strictest juridical control, and that freelance beheading is certainly not permitted in Islam. It seems to me that a scholar could devote a lifetime to the question, and not come up with a definitive answer.

But the very terms of the debate are the most significant thing about it, and demonstrate the lack of, as well as the burning need for, an Islamic Enlightenment. For the assumption behind the debate is that the answer to the question, "Can people taken more or less at random, who are however members of a class or nation perceived to be an enemy of Islam, rightly be beheaded?" is to be found somewhere in the Koran or the Hadith, and nowhere else. Original thought is unnecessary, since the answer to every question has already been given, if only we are diligent enough to find it in irreproachable texts. If the Koran or the Hadith says that such beheading is right, it is right; if it says it is wrong, it is wrong. If Mohammed says we can cut off people's heads whenever we choose, then we can; if he doesn't, then we can't. Compared with this, even the most literal-minded Bible fundamentalist in the West lives, de facto at least, like the child of Voltaire, for even such a fundamentalist probably wouldn't dare justify decapitation as a policy by reference to David and Goliath. And if by any chance he did, he would rightly be laughed at by his fellow citizens.

Of course, adept scholastics can find almost anything in any text. For example, enthusiasts find abortion and euthanasia writ large in the American Constitution. The urge to decapitate no doubt precedes the attempted justification for it in Islamic texts, which merely turns a pleasure into a sacred duty.

The mixture of scholasticism and a thoroughly modern sense of grievance or resentment is a highly combustible one, especially where the texts in question can be interpreted bloodthirstily, even if they need not be. Cruelty is never worse than when higher authority is invoked not merely to justify, but to demand it. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

■ COVER STORY III

Spendaholics

How we have reached this curious pass

RAMESH PONNURU

To observe that President Bush is between a rock and a hard place on spending is not to make excuses for him. The prudent statesman generally tries to steer a course that does not strand him in such treacherous places. If Bush had acted to restrain the growth of federal spending in previous years, he would not now be facing demands from an angry conservative base to cut it. If he ignores those demands, his approval ratings—which suggest that conservatives are just about the only supporters he has left—may decline still further. Acceding to them, however, may further alienate other voters.

All conservatives have heard dismal statistics about the Republican record on spending. Here are a few more. Stephen Slivinski of the Cato Institute notes that federal spending, which had fallen from 20.7 percent of the economy to 18.5 percent while Bill Clinton was facing off against a Republican Congress, has climbed to 20.2 percent since Bush took office. Brian Riedl calculates that domestic spending—spending excluding defense and homeland security—has risen from 12.8 percent of GDP in 2001 to 14.5 percent in 2005. That's higher than it was in 1995, when it was 13.5 percent. And all of this is before an expensive prescription-drug entitlement starts running.

Congressional Republicans deserve at least as much blame as the president for this explosion. House Republicans have been telling a fanciful version of recent history in which the president forced them to enact a new budget-busting program to subsidize prescription-drug coverage for the elderly. Yet congressional Republicans by and large came out for this program even before Bush took office. And when Bush aides initially suggested that the new program should be accompanied by substantial market-based reforms to Medicare, it was House leaders who shot down the idea. Bush's Social Security plan included a more than $10 trillion spending cut (in present-value terms). Many of the congressmen and pundits—including conservatives—who are carping about "Bush's spending" didn't exactly lend him support.

Yet Bush could have done more to make Congress spend less. In 2002, for example, he could have vetoed the farm bill. Congress would have passed a new version that was only slightly less awful, but the president would have established a limit past which Congress could not go. After five years without a veto, nobody takes the president's veto threats seriously any more—and Bush has thus effectively surrendered one of his constitutional checks on congressional log-rolling.

A lack of political leadership isn't the only reason for the disappointing Republican record. Stephen Moore, the free-market economist and activist, points out that the federal budget has truly shrunk only twice in the last 30 years: in the first budget of the Reagan administration, and in the first budget of the Gingrich Congress. The only question in most years is what the rate of spending growth will be.

Many conservatives have been warning Republicans that they are throwing away their reputation as the thrifty party. But this isn't much of a threat. There are a lot of voters who would like lower spending, but there are few voters for whom it is a priority. Many people are willing to base their votes on getting a tax cut. Not many people vote in order to get a spending cut.

The politics of pork illustrates the point. Conservatives are now calling on congressmen to give up pork for their districts to pay for hurricane relief. Most congressmen get reelected with large enough margins that they could give up that pork and survive politically. But there are very few congressional districts where turning down a new bridge would actually gain a congressman votes. If that weren't the case—if there were large numbers of voters who cared intensely about cutting government spending—we wouldn't have the gargantuan federal establishment we do.

That is why Bush did not run as a budget-cutter. Conservatives can justly claim to be surprised at the magnitude of the change in federal spending under Bush; but we cannot claim to be surprised at its direction.

What's worse is that even those voters who care about runaway spending don't have much interest in reforming the process by which Congress writes the budget. That process, set up near the high tide of congressional liberalism in 1974, is designed to maximize federal spending. Trying to keep spending down without changing the rules is a fool's errand. The rules make it possible to keep spending under control for one year or even for a few years—if one is willing to invest a lot of political resources into the effort. But all that work is almost guaranteed to be undone before too long.

Riedl explains how a genuinely effective spending limit might work. The House would have to change the rules so that a con-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

gressman could raise a "point of order" whenever legislation threatened to break that limit—and a super-majority vote would have to be required in order to allow the increase. The only problem with that idea? "You're never going to have grassroots rallies for point-of-order reform."

THE UNSTARVED BEAST

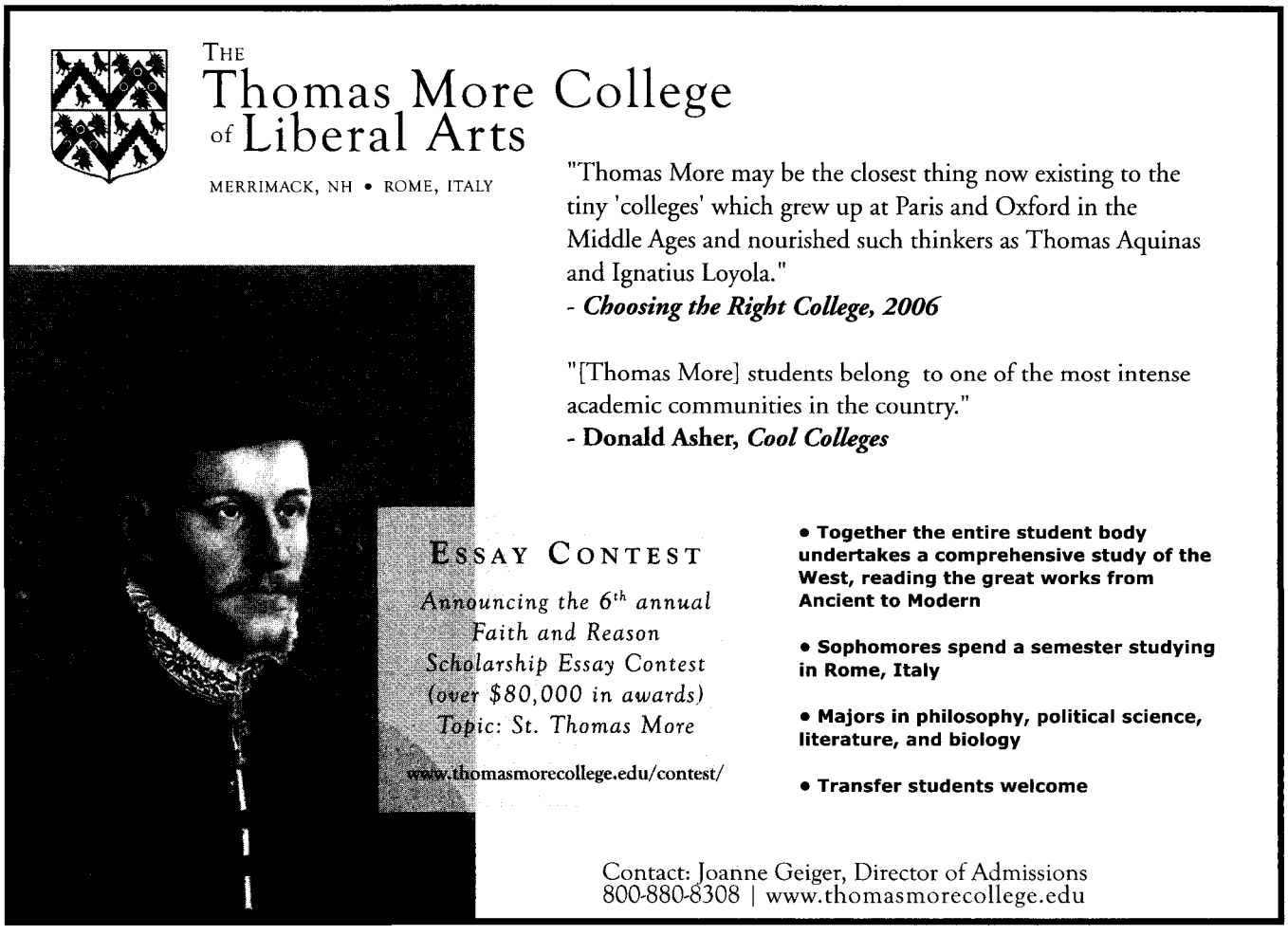
Milton Friedman has analyzed federal spending as an equation: Take available revenues, add the maximum politically allowable deficit, and that's how much spending there will be. So conservatives have tried to reduce the available revenues in the hopes of reducing the spending. This is the "starve the beast" theory of tax cutting. There is probably something to it, in general, but it hasn't worked recently. It may be that the passage of tax cuts made deficit spending more acceptable. Friedman's variables turn out not to be independent from each other.

Yet all is not lost. The aftermath of the hurricane may have given spending-cutters some new leverage. Republicans are depending heavily on conservative support, and conservatives are, for the moment, interested in spending control. Conservative activist Grover Norquist says, "Katrina will do for the spending-control movement what *Roe* did for the right-to-life movement and what *Kelo*"—the recent Supreme Court decision on eminent domain—"may have done for the property-rights movement: convince people that there is a problem. And convince people that the people who had been saying there was a problem are seers instead of just annoying people."

Two things will have to happen for spending-cutters to make the most of this moment. The first is that both conservatives and the Republican leadership will have to make some adjustments in their relationship. The second is that conservatives will have to set achievable short-term and long-term objectives.

In the House, relations between the leadership and the conservative Republican Study Committee have sometimes been rocky. They see each other, respectively, as grandstanders and sell-outs. It didn't help when Tom DeLay said that Republicans had already cut all the fat out of the budget. Conservatives were, of course, outraged. Since then, DeLay has said that he favors making spending cuts. But would it kill the House and Senate leaders—and, for that matter, Bush—to admit that they have let spending get out of control and need to get on top of it?

The RSC has identified half a trillion dollars in potential cuts and is arguing that Congress should make some of those to pay for Katrina relief. The conservatives call their effort "Operation Offset." They have included both realistic and impractical proposals. The impractical proposals have caused some in the leadership to dismiss the project entirely. The idea of delaying implementation of the drug benefit for a year falls into this category. The prescription-drug plan may not be popular with voters, but it does not take much imagination to see what Democrats would do if


THE
Thomas More College
of Liberal Arts
MERRIMACK, NH • ROME, ITALY
"Thomas More may be the closest thing now existing to the tiny 'colleges' which grew up at Paris and Oxford in the Middle Ages and nourished such thinkers as Thomas Aquinas and Ignatius Loyola."
- Choosing the Right College, 2006
"[Thomas More] students belong to one of the most intense academic communities in the country."
- Donald Asher, Cool Colleges
ESSAY CONTEST
Announcing the 6th annual Faith and Reason Scholarship Essay Contest (over $80,000 in awards)
Topic: St. Thomas More
www.thomasmorecollege.edu/contest/
• Together the entire student body undertakes a comprehensive study of the West, reading the great works from Ancient to Modern
• Sophomores spend a semester studying in Rome, Italy
• Majors in philosophy, political science, literature, and biology
• Transfer students welcome
Contact: Joanne Geiger, Director of Admissions
800-880-8308 | www.thomasmorecollege.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Republicans were to cut a benefit for the elderly. Ditto for increases in Medicare premiums.

There is no harm in calling for an end to federal support for the Corporation for Public Broadcasting and the National Endowment for the Arts, as the RSC does. Doubtless the leaders, too, would like to see them zeroed out. But they also know that the House does not have a majority to do it. A majority would vote to *increase* funds for both organizations if the leaders allowed it. Again: People who care about the NEA are more likely to like it than to dislike it. (People who like it are also alarmingly likely to be congressional wives.)

Conservatives could make a difference, on the other hand, by making a big cause out of ending corporate welfare. Most people, if they hear proposals to stop making taxpayers cover some of the overseas-marketing expenses of major corporations, would probably be surprised and appalled to hear that they are covering them in the first place. It would do conservatives some good to clarify that they are pro-market before they are pro–big business. Some Republicans have worried that beginning a campaign against corporate welfare would facilitate a liberal campaign to raise taxes on corporations. But if having a congressional majority is good for anything, surely it is for preventing that type of ideological hijacking.

NEAR AND LONG TERMS

In the short run, the most achievable spending cut is probably some kind of even, across-the-board reduction in spending on everything but defense, homeland security, and entitlements. A number of congressmen are calling for that, although the percentage reductions they seek vary. Congress has had regular and recent experience of making such cuts to reach the desired numbers, and so it is likely to happen. Since conservatives want spending cuts, since Republicans are in no great position to say no, and since going after particular programs is difficult because those programs have constituencies, an across-the-board cut is what Republicans should do now. But conservatives' long-term objectives should go beyond saving money in this fashion.

Conservatives want to cut federal spending in part because they think it would be good for the economy. But more than that, most conservatives want to cut spending because they desire a government that is smaller in scope. By this, they primarily mean one that attempts to perform fewer functions. The level of spending is a proxy for the size of government. But it is a very imperfect proxy. Spending can go up when the government stays within its proper boundaries: as when the government is fighting Nazi Germany. Spending can go down while the government is growing in other ways, e.g., through regulations. It would be worse than pointless if conservatives succeeded in cutting spending at the price of accepting more regulation, since the latter, being relatively hidden, is more insidious than the former.

If the long-term goal is limiting government, then it would be better to abolish programs than to cut them. This is true even if you could save more money by cutting a lot of programs than by eliminating a few of them. Programs, once cut, can grow again more easily than programs, once abolished, can be revived. It is largely pointless to try to abolish cabinet departments, as the Gingrich Congress tried to do, since the likely consequence would be merely to shift programs from one department to another.

Conservatives have not devised any plan to shrink the government over time that inspires great confidence. Direct attempts to rein in the government, as in 1995–96, have not been sustainable. We are left with indirect strategies: for example, changing tax, health, and Social Security policies in the hope of shifting American politics rightward and making it possible to shrink the government in the future.

This strategy involves higher risks and higher rewards than an effort to keep spending as low as possible in the short term. If one wanted to try to keep government spending from growing from one year to the next, one might very well have favored John Kerry last year on the theory that congressional Republicans would be tougher on his budgets than on Bush's. Someone trying to follow the long-run strategy to cut government—such as Norquist—would, on the other hand, have favored Bush in order to have a chance at Social Security reform and the like. The ambitious strategy, in other words, may lead to higher spending in the short run; but the long run may never come.

My own judgment is that conservatives are not capable of holding the line on spending in a series of short runs without maintaining the long-term goal, however distant, of a much smaller federal government. That goal must therefore be worked toward and juggled with other priorities, such as maintaining a strong defense and imposing restraint on the judiciary.

Most conservatives want to cut spending because they desire a government that is smaller in scope.

And, lest we forget, keeping taxes low. Conservatives have succeeded in cutting taxes, which is quite a remarkable achievement during wartime, and hence one that has led to no end of liberal complaints. Conservatives have not, however, been especially inclined to celebrate this achievement, and may be giving up ground needlessly. Katrina has prompted calls for letting the estate tax stay in place, and conservatives have hardly pushed back. If we believe that the estate tax is an efficient way of raising money and that the only reason to get rid of it is to do a favor for the people who pay the tax, then it would be right to heed those calls.

But conservatives have generally believed, instead, that the estate tax raises very little money because it stimulates vast amounts of tax avoidance and reduces the capital stock. The politics of the issue, meanwhile, have not changed: The estate tax is still unpopular, and Democratic politicians still vote to keep it at their peril. Conservatives should not let themselves be so consumed with a futile war on pork that they allow this tax to survive. Neither lower growth nor political timidity will help conservatives attain a smaller government, or any other worthy end. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE NATION

Katrina: The Untold Story

People rescued tens of thousands of their fellow citizens

LOU DOLINAR

WHEN New Orleans mayor Ray Nagin predicted a Hurricane Katrina death toll of 10,000, some thought he was erring on the low side. Twenty-five thousand body bags were stockpiled; the latest computer model predicted 60,000 dead. Yet weeks after the storm, fewer than 1,000 bodies have been found in all of Louisiana. Which prompts the question: What went right?

The answer is: something massive. Largely ignored by the agenda-driven national media, one of the largest rescue operations in history saved more than 50,000 people by boat and helicopter. In this Dunkirk on the Mississippi, Coast Guard and other military units, volunteers, and state and local first responders delivered thousands from death by drowning, dehydration, heatstroke, fire, starvation, and disease. The three goats of Katrina—FEMA's Michael Brown, Gov. Kathleen Blanco, and Mayor Nagin—had little if any role; in fact, because local communication was wiped out by the storm, they may not even have known about the scale and success of the rescue operation.

THE RIGHT STUFF

Others did know. Orleans Parish civil sheriff Paul Valteau saw a part of this massive effort close up, when he pulled off the Franklin Ave. interstate exit at 3 P.M. on Monday, August 29, shortly after the storm had passed and levees had broken. "They were screaming and hollering everywhere," he recalls. Submerged homes and businesses stretched into the distance. Survivors stood on rooftops, water up to their waists and rising. Desperate pounding and shrieking came from attics. One man, a double amputee, clung to a tree as water surged around him. "I saw things I never saw in 23 years as sheriff," Valteau says. "I saw things I never want to see again." But he also saw Coast Guard helicopters dodge power lines to winch the endangered to safety. He joined one of the ad hoc rescue crews launching boats from the off-ramp. "We weren't alone. Hundreds of people who had boats showed up at interstate exits and launched their boats Monday afternoon."

Meanwhile, at least three dozen helicopters from the Coast Guard and the Louisiana National Guard had already swarmed into the city, tracking right behind the storm and fighting 60 m.p.h. winds. Unlike befuddled city and state officials, the Coast Guard's man in charge, Rear Admiral Bob Duncan, was literally on top of the situation: He flew in with the first crews, watched the first rescue himself, and spent the day in the air observing and directing operations. "People are most in need right after the storm goes through," he explains. "When they feel comfortable going up on the roofs of their houses, we hope a big orange helicopter is waiting."

Absent those early rescues, thousands would in fact have died, in line with the mayor's prediction. With all communications knocked out, says Sheriff Valteau, "it was a reasonable estimation. . . . The mayor didn't know what was going on in the field. It was impossible for him to know how many hundreds of citizens were out there saving people."

It was impossible, as well, for the media, which were getting most of their information from City Hall. What audiences across the country saw as a breakdown of relief efforts was in fact a breakdown of media relations. Instead of marveling at the courage and endurance of rescuers, television spread lurid rumors of near-parodic depravity: gang violence (with AK-47s!), murder (200 slain, stacked, and frozen!), rape (women, children, babies!), sniping at helicopters, and rampage at the Superdome. Mainstream publications have since shown these reports to be false; since most of what the media did report was dead wrong, no one should be surprised that there was a parallel failure to report what went right.

On this score, the biggest lie—worse than the urban legends haunting the Superdome—was that help was slow to arrive. Rescuers say that on Monday, when the levees failed and water surged through the city, they saved thousands who were in danger of drowning—and that they simply *could not* have arrived any sooner. Not enough resources? Admiral Duncan says one of his biggest problems was that so many helicopters were operating, they risked crashing into one another.

As yet, there is no official hard count of how many were saved, nor has any central authority spoon-fed definitive numbers to the media. But clearly, success left a deep statistical footprint. The *Washington Post*, in a poll of survivors who relocated to Houston after staying through the storm, said 40 percent—roughly 40,000 to 50,000 people, if the sample is representative—reported that they had been rescued by the Coast Guard, Air National Guard units, or local police and firemen in boats.

The Coast Guard—a branch of the much-maligned Homeland Security Department—was far and away the main player. It claimed more than 24,000 rescues, and evacuated another 9,000 from hospitals and nursing homes. The Coasties got there first with the most—16 search-and-rescue helicopters. Equipped with night-vision gear and hoists, these first units, joined by many more, ran 24 hours a day, every day, for a week. Preliminary reports showed that on Monday, Tuesday, and Wednesday, the Coast Guard rescued 3,000 to 5,000 people from rooftops. The operation grew to hundreds of boats and 50 helicopters. Even barges were commandeered to load hundreds of survivors at a time who were stranded on broken levees.

According to Coast Guard Lt. Chris Huberty, who flew a Dolphin chopper on the night shift almost from the beginning,

Mr. Dolinar (dolinar@verizon.net) is a retired reporter from *Newsday*.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Come to New York to

FOR ADDITIONAL INFORMATION PLEASE CALL 1-212-679-7330

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

celebrate WFB's 80th!

As part of the ongoing Golden Anniversary celebration of the magazine that has defiantly stood athwart history and yelled "Stop!" at the prevailing liberalism of American culture, politics, and the academy, the National Review Institute is proud to sponsor a very special event to honor a very special person: William F. Buckley Jr., the founder of NATIONAL REVIEW and the man hailed as the Godfather of Modern Conservatism.

It was a young, brash, and dedicated Bill Buckley who launched his brazen (then weekly!) journal in November 1955, sparking a chain of remarkable events—not the least of which was the Reagan Revolution.

Now, a half century after NATIONAL REVIEW first rolled off the presses, the National Review Institute will honor Bill—editor, columnist, novelist, *Firing Line* host, sailor, and unrivaled public speaker—with a grand 80th-birthday celebratory dinner (featuring entertainment from the Yale Whiffenpoofs, the Harvard Krokodiloes, and the renowned Alex Donner orchestra!) on November 17, 2005, in New York City at the elegant Pierre New York Hotel. The festivities will begin with cocktails at 6 p.m. followed by dinner.

The directors of the Institute cordially invite you to join them—along with the editors of NATIONAL REVIEW and many other distinguished conservative leaders—as they recognize and honor Bill for his many accomplishments and his profound impact on American politics and culture.

This will be a night to remember—a long overdue and richly deserved show of appreciation—that you will not want to miss, as we warmly wish "WFB" a most happy birthday and thank him for *all* he has done for the causes we most cherish. Seating for the NRI celebration of William F. Buckley Jr.'s 80th birthday is limited. To reserve your seat or table, please fill out and return the form below. For more information on this grand affair, please call 1-212-679-7330.

Fill out and mail this form to: **NATIONAL REVIEW INSTITUTE, 215 LEXINGTON AVENUE, NEW YORK, NY 10016**

Count me in—I wouldn't miss the Bill Buckley Birthday Bash for the world! I will attend the November 17th festivities in New York City at the Pierre Hotel. I enclose:

☐ $500 per person, for _____ people (total payment enclosed is $ _____).

☐ $5,000 for a table of 10.

☐ Sorry, I won't be able to attend, but wish to help support the National Review Institute. Enclosed is my contribution of $ _____ (Many thanks!).

NAME _____

ADDRESS _____

CITY _____

STATE ZIP _____

Please make all checks payable to the "National Review Institute." The National Review Institute is a 501(c)(3) foundation and all contributions to it are tax-deductible.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

another reason relatively few lives were lost was that crews carefully selected who was brought to safety first. "We'd put a rescue swimmer down to determine who needed to be taken away," he recalls. "I'd see three women, all healthy adults, and a guy in a wheelchair who was a diabetic; I'd say he needs insulin, let's get him out of here first. The others might have to wait." He says that by setting these priorities, the Coast Guard teams were able to get "a pretty good handle" on the stranded sick, injured, and elderly in just a couple of days.

Huberty deeply resents TV's characterization of the black residents of New Orleans. "As many bad stories as you hear about looting, there were plenty of people sacrificing for others, regardless of their demographic. I can't tell you how many times a man would stay behind an extra day or two on the roof and let his wife and kids go first. It broke my heart. We'd go to an apartment building and you'd see that someone was in charge, organizing the survivors. We'd tell him, 'We can only take five,' and they'd sort out the worst cases. It happened many times that the guy in charge was the last to leave."

It has been reported that two shifts of New Orleans firemen were not on duty, and that up to half of the police department went AWOL. Wrong on both counts: Efforts by these local rescuers were robust.

LOCAL HEROES

At the state level, the Louisiana National Guard's 1-244th Aviation Battalion and 812th Med-Evac unit moved helicopters—ten Black Hawks and six Hueys—into New Orleans behind the storm. "It was like a scene from a Stephen King movie," says Capt. Shawn Vaughn, who piloted a Black Hawk. "We just got back from Iraq and saw nothing like this kind of devastation there." Most of the crews were from New Orleans, and knew the city well—a boon for rescue operations. (The regrettable underside of this familiarity was that most lost everything they had in Katrina. One pilot was plucked from his sunken home by his own unit, and began flying again a few hours later.) The Black Hawk operation was a textbook example of quick-and-dirty improvisation: Lacking rescue hoists, crews adopted the nervy tactic of landing directly on rooftops to take on passengers, while applying power to keep the helicopters light so they wouldn't collapse the storm-weakened buildings. Some stripped out their seating to increase capacity to 30 passengers standing, or to carry stretchers for the elderly and disabled.

Healthy evacuees were pulled from rooftops and transferred to nearby collection points. When they couldn't maneuver in for a pickup, National Guardsmen called in the Coast Guard and smaller Hueys with rescue hoists. Individual Black Hawks pulled out as many as 250 people per day when the pressure was on. Vaughn estimates the unit saved up to 4,000 in the first week before switching to tasks, like sandbagging, for which its brawny copters were better suited. Not bad for a unit that wasn't equipped for search and rescue.

Not everyone flew multimillion-dollar helicopters. Also on Monday, the Louisiana Department of Wildlife and Fisheries had 250 agents and their boats in the water, along with volunteers from inside the agency, according to Lt. Col. Keith LaCaze. His operation claimed 20,000 rescues by September 8—at which point it suspended calls for more volunteers and boats. LaCaze says many of these rescues were of people facing imminent death. "There were a lot of people we rescued on the first night—in houses and in attics where the water was almost over their head. There were still many people the next day in danger of drowning and dehydration."

It has been reported that two shifts of New Orleans firemen were not on duty, and that up to half of the police department went AWOL. Wrong on both counts: Efforts by these local rescuers were robust. According to *Firehouse* magazine, firemen had prepared for the emergency, with ample boats and supplies in place. Local first responders were fielding 100 to 200 boats in the first 24 hours, according to officials quoted in the New Orleans *Times-Picayune*. When Sheriff Valteau reported for impromptu duty, he joined a pair of retired cops, a regular New Orleans policeman, a contractor, and a couple of volunteers. This illustrates the improvised nature of the successful local response to the crisis.

SUCCESS STORY

The above account covers the most important responders, but it is by no means exhaustive. The Air Force reported 1,300 rescues and some 14,000 "transported" by September 4. By the end of Tuesday, August 30, the Navy ship *Bataan*—later slammed for inaction by *New York Times* columnist Paul Krugman—had five choppers flying rescue missions and had pulled out several hundred people. One *Bataan* airman, in an e-mail that was reprinted in his local newspaper, casually described how his helicopter had lifted 19 victims from the roof of a burning building. Other units on Day One came from as far away as Wisconsin, which sent two Black Hawks and three Hueys from the 832nd Medical Company and from the 1st Battalion, 147th Aviation unit. Three Hueys from the Georgia National Guard's 148th Air Ambulance arrived Monday and flew nonstop from sunup to sundown. State Police and sheriffs' departments operated rescue boats. Civilian search-and-rescue teams from out of state, and as far away as Canada, responded on their own. FEMA also operated search-and-rescue teams. A volunteer squad from Exxon Mobil pulled out 1,500 survivors all by itself.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

One pilot said he sighted a Chinook helicopter from the Republic of Singapore Air Force; improbably, such a craft was temporarily based in Texas, and, like exotic fauna washed in by a storm, may have become part of the aerial ecosystem.

By Wednesday, August 31, as the media screamed for troops to deal with the over-hyped breakdown in public order, more than 100 helicopters were flying rescue missions. Air traffic was so heavy that one pilot said the city looked like a hornets' nest. Another, flying at night, compared helicopter ops to swarming fireflies. By the end of the week, crews had virtually run out of victims, and were shifting operations to dropping sandbags, evacuating the city, and assisting door-to-door searches by boat crews.

"As tragic as every death is, there were less than 1,000 in Louisiana," Congressman Peter King, a New York Republican and chairman of the Homeland Security Committee, told me after a trip to New Orleans. "Every study beforehand said a hurricane of this kind would kill at least 10,000. Obviously, there were a lot of rescuers; obviously, first responders and the Coast Guard did many, many more rescues than has been reported." The death toll in New Orleans will rise, but it will never come close to the ghoulish early estimates. That doesn't absolve authorities from responsibility for some of the deaths; King says that his committee will be looking at the city and state role in failed evacuations and the breakdown of supply to survivors.

But the narrative of Katrina needs wholesale revision, and mainstream news organizations are starting to work on it. There were not 200 murders at the Superdome; there appear to have been exactly zero. Local authorities did not lose control there or at the Convention Center. The more than 30,000 residents at emergency shelters during the first week of Katrina were tired, hungry, miserable, and without proper sanitary facilities—but were in no danger of dying. As for the rest of the city, help was rarely late, delayed, or inadequate. That's the true story—and there are tens of thousands of rescued people who will testify to it. **NR**

Learn Another Language on Your Own!

Now order on CD's or Cassettes

Learn to speak a foreign language fluently on your own and at your own pace with what are considered the finest in-depth courses available. Many were developed by U.S. Department of State for diplomatic personnel who must learn a language quickly and thoroughly. Emphasis is on learning to speak and to understand the spoken language. A typical course (equivalent to a college semester) includes an album of 10 to 12 CD's or audio cassettes (10 to 18 hours), recorded by native-born speakers, plus a 250-page textbook. Some of our courses:

☐ Albanian	$175	☐ German II	$175	☐ Mandarin	$225	☐ Swahili	$175
☐ Arabic, Saudi	$225	☐ Greek	$225	☐ Norwegian	$165	☐ Swedish	$245
☐ Egyptian	$225	☐ Haitian	$245	☐ Persian	$225	☐ Tagalog	$325
☐ Iraqi	$125	☐ Hebrew	$285	☐ Polish	$225	☐ Thai	$245
☐ Bulgarian	$295	☐ Hindi	$175	Portuguese,		☐ Tibetan	$295
☐ Cantonese	$225	☐ Hungarian	$245	☐ Brazilian	$275	☐ Turkish	$255
☐ Catalan	$245	☐ Italian I	$225	☐ European	$175	☐ Ukrainian	$245
☐ Czech	$175	☐ Italian II	$225	☐ Romanian	$175	☐ Vietnamese	$275
☐ Danish	$175	☐ Japanese	$225	☐ Russian	$295		
☐ Dutch	$175	☐ Korean	$245	☐ Serbo-Croatian	$245		
☐ Finnish	$225	☐ Lakota	$225	☐ Slovak	$245		
☐ French I	$225	☐ Latin	$195	☐ Spanish, European	$175		
☐ French II	$245	☐ Latvian	$245	☐ Latin American I	$225		
☐ German I	$225	☐ Lithuanian	$185	☐ Latin American II	$185		

Brief courses:
☐ Azerbaijani, $75
☐ Indonesian, $75
☐ Kurdish, $55
☐ Scots Gaelic, $90
☐ Uzbek $75

You can order now with a full **3-week money-back guarantee.** To order call **toll-free 1-800-243-1234, toll-free fax 1-888-453-4329,** (203) 245-0195, e-mail: info@audioforum.com, or mail check or money order. Ask for our **FREE** 52-page *Whole World Language Catalog* with courses in 115 languages. Our 33rd year.

AUDIO-FORUM
THE LANGUAGE SOURCE
Room 7102,
1 Orchard Park Rd.,
Madison, CT 06443
www.audioforum.com

STUDENT ESSAY CONTEST

The Foundations of American Political Thought

ISI
www.isi.org

TOPIC: The Declaration of Independence and the U.S. Constitution are two essential documents dealing with the need of a free society to balance "order and liberty." The Federalist Papers inform citizens how that balance has been struck by our Founders. Participants should explore all three documents in this context of "order and liberty."

First Prize: $1,000
Second Prize: $500
Third Prize: $300
Fourth - Tenth Prizes: $50/each

Essays should be between 1,200-1,500 words.

Deadline for submissions: November 15, 2005

Submit essays to either:

- **essay@isi.org** as an attachment
- ISI Order and Liberty Essay
  3901 Centerville Road
  Wilmington, DE 19807

Supported by the Maibach Foundation

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Pariahs, Martyrs—and Fighters Back

Conservative professors in America

JOHN J. MILLER

At the start of the last school year, activists at DePaul University set up a pair of tables along a student thoroughfare and distributed literature to passers-by. They caught the eye of faculty member Thomas Klocek, who took one of their handouts and read about Israel's "brutal and murderous occupation" of "Palestine" as well as its "apartheid violence" in the West Bank and Gaza. This was provocative stuff—but nothing out of the ordinary for the two groups behind it all, Students for Justice in Palestine (SJP) and United Muslims Moving Ahead (UMMA).

Engaging the students in a discussion about their claims, "I reminded them that there were multiple perspectives involved here, including Christian ones," Klocek says. "I also said that using the term 'Palestinian' is problematic because it was once a generic term referring to Jews, Muslims, and Christians who lived in the area rather than to a single ethnicity." One of the students said that she was a Palestinian and that his remarks insulted her. "I told her it was nothing personal and that she could call herself whatever she wanted," he says.

But by then there was no turning back. What might have remained a lively discussion grew into a heated argument. One student chimed in with a comparison that was as inevitable as it was irresponsible: The Israelis, he said, are treating the Palestinians the same way that Hitler treated the Jews. Ever the teacher, Klocek (who is Catholic) tried to suggest that there were important differences between these two cases. When he realized that he was battling not a reasoned opinion but an article of faith, Klocek decided to withdraw. Accounts differ as to what happened next: The students claim that Klocek threw his flier onto their table and made an obscene gesture; Klocek says he set down the material calmly and thumbed his chin, Italian-style, to indicate "I'm outta here!"

Since this encounter, which lasted about 15 minutes, Klocek's world has turned upside down. He was suspended from his classroom duties and probably won't ever teach at DePaul again. Today, he is over-educated and under-employed, struggling to make ends meet as he works at odd jobs, and wondering how he'll earn his next paycheck. Unfortunately, his story is all too familiar to academics who dare to question the tenets of political correctness. Right-wingers aren't the only ones affected: Klocek is a conservative Democrat who voted for John Kerry. Even outright liberals can come under fire: Just ask Harvard president Lawrence Summers, who recently sinned by speculating about why there aren't more female scientists. Ever since, he has spent much of his time seeking absolution from fist-pumping feminists. At least Summers kept his job. But for many others who are found guilty of violating certain pieties, there is no such guarantee—they become an endangered species on campus, victims of the Left's ruthless determination to hunt them into extinction.

AN IMPENETRABLE FORTRESS

It's widely known by now that conservatives have a tough time winning jobs and earning promotions at colleges and universities. For all of the success conservatives have experienced in politics and culture over the last few decades, the academy remains an impenetrable fortress of liberalism. There have been more conservative American presidents in the last quarter century than there have been conservative Ivy League presidents. If anything, the problem has grown worse over time as tenured radicals have tightened their stranglehold, especially in the humanities.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Rooted in Tradition
Driven by Innovation

AVE MARIA SCHOOL OF LAW

FIDES ET RATIO

AVE MARIA SCHOOL of LAW

Ave Maria is a Catholic law school dedicated to educating lawyers with the finest professional skills. A rigorous curriculum grounded in natural law and characterized by the harmony of faith and reason prepares students for excellence and professionalism in the practice of law. This innovative approach to the study of law provides a rewarding education for law and life.

Ave Maria encourages applications from students of all faiths who seek a distinctive legal education enriched by the Catholic intellectual tradition.

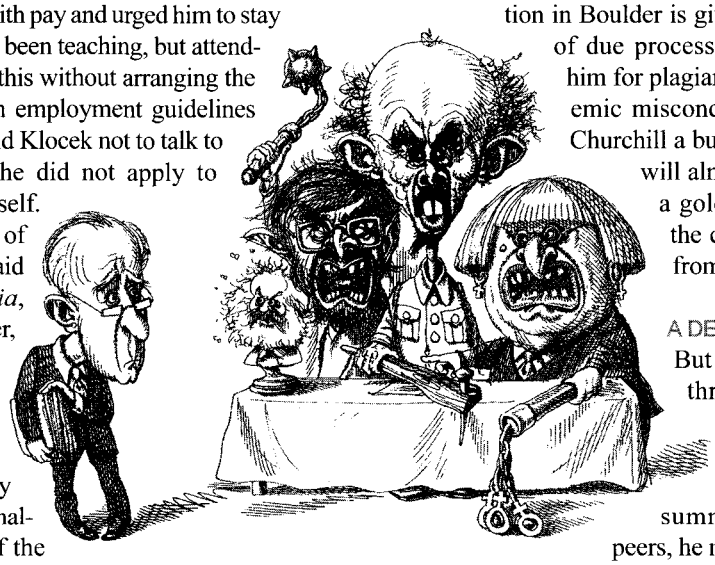
734.827.8063
www.avemarialaw.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Nowadays, many young conservatives who might otherwise be drawn to a career in higher education don't consider it an option. The hardy few who persevere "hope to get lucky," says Harvey Mansfield, a Harvard political scientist who has seen many talented protégés fail to land academic positions for which they were eminently qualified. The ones who do get lucky, he says, often get lucky "at second-rate places."

Klocek's case is particularly striking because the DePaul administration has left a long paper trail that demonstrates its disdain for his ideas as well as its disregard for the principles of academic freedom. A little more than a week after his encounter with the anti-Israel activists, Klocek found himself summoned to the office of Susanne Dumbleton, a dean at DePaul (who refused to speak to NATIONAL REVIEW). According to Klocek, Dumbleton said she had received letters complaining about Klocek's behavior. She wouldn't show them to Klocek, but the students who wrote them evidently felt "hurt" by Klocek's attempts to "impose" his views on them.

Dumbleton suspended Klocek with pay and urged him to stay off campus (where he had not only been teaching, but attending daily Mass for years). She did this without arranging the formal hearing that DePaul's own employment guidelines would seem to require. She also told Klocek not to talk to the media—a prohibition that she did not apply to Klocek's accusers, or even to herself. "We do not respect the unfair use of faculty power over students," she said in an interview with the *DePaulia*, a student newspaper. A week later, with her gag order still silencing Klocek, Dumbleton wrote to the *DePaulia*: "The university must serve as a forum at which individuals are able to express contrary ideas, debate opposing positions, challenge assumptions, press areas of the unknown, and consider unimagined possibilities." This was no defense of a besieged Klocek. Instead, Dumbleton was in the process of issuing one of several apologies to the SJP and UMMA students "for the insult and disrespect they had endured."



ROMAN GENN

The notion that perhaps Klocek deserved the benefit of the doubt against the charges of politically motivated students appears to be one of those "unimagined possibilities" that Dumbleton finds so fundamental to university life. DePaul certainly doesn't second-guess the critics of Israel on its faculty, such as Norman G. Finkelstein, a controversial political scientist who is building an academic career by savaging the Israeli government and what he calls "the Holocaust industry."

Finding himself on the wrong side of the Israel–Palestine divide, and with the administration refusing to show even a flicker of sympathy, Klocek didn't know how to respond. He just wanted his job back. He had taught at DePaul for nearly 15 years as an adjunct member of the faculty, and never in this time, according to the school's administration, had anybody complained about his behavior. But now Dumbleton was finding all kinds of reasons to label him *persona non grata*. In a November 10 letter, for example, she accused Klocek of being "occasionally disoriented or unfocused," perhaps owing to a "changing regimen of medication." (Dumbleton's Ph.D. is in English, not psychiatry.) She indicated that Klocek could teach one more class, but only if it were monitored—a condition that an increasingly desperate Klocek was willing to accept. Some time later, however, Dumbleton seemed to discourage it. "She told me she couldn't guarantee the behavior of the students," says Klocek. "She was basically threatening me with protests." He decided against returning to DePaul, and in June he filed a lawsuit against his former employers. "This is one of the most brazen violations of academic freedom that I've seen," says David French of the Foundation for Individual Rights in Education, a watchdog group.

Klocek may be gone from DePaul, but Ward Churchill—the professor who became infamous for condemning the World Trade Center victims as "little Eichmanns"—remains a professor at the University of Colorado. (And he's still making news: At a speech in Portland, Ore., this summer, he said that U.S. military officers deserved a "fragging" from their subordinates.) The administration in Boulder is giving Churchill every privilege of due process as a committee investigates him for plagiarism and other forms of "academic misconduct." If the university offers Churchill a buyout, as some have advised, it will almost certainly take the form of a golden parachute, as opposed to the cold shoulder Klocek received from DePaul.

A DEEPER PROBLEM

But the problem at DePaul—and throughout higher education—goes far deeper than the niceties of faculty due process. After all, if Klocek were summoned before a jury of his peers, he might find himself subjected to the same harsh treatment he has received from administrators. Three years ago, the *American Enterprise* magazine examined voter-registration rolls for the party affiliations of professors. They were overwhelmingly Democratic (or Green)—by a factor of 18 at Brown, nine at Stanford, eight at Berkeley, and so on. It defies belief to suggest that these political allegiances play no part in hiring and promotion. "I know someone who insisted that we couldn't hire someone who clerked for Clarence Thomas on the Supreme Court, simply because this person didn't like Clarence Thomas," says a law professor at a Midwestern university.

There's hardly a dean in the land who doesn't prattle on about the importance of diversity, or a school that refuses to bend over backward to recruit women and minorities. Yet few of them seem to believe that they should give more consideration to scholars who aren't keen on holding candles at anti-war vigils. "Every time I apply for a better job at a different college, I get Googled," says one professor who has written a handful of op-eds. "Nobody objects to my academic work, but they can't stand a few things I've written about politics." In 2002, Smith College economist James Miller was denied tenure, in part because he had contributed to National Review Online. Miller was savvy enough to

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

educating for liberty

hillsdale college

"Hillsdale deserves the appreciation of all who labor for freedom."

RONALD REAGAN
40th President of the United States

for more information, contact the hillsdale college office of admissions:

33 east college street
hillsdale, michigan 49242
(517) 607-2327
www.hillsdale.edu/admissions

hillsdale college profile

founded: 1844 • **location:** Hillsdale, Michigan • **type of college:** Four-year, independent, liberal arts, co-educational, residential, nonsectarian • **size of campus:** 200 acres, 55 buildings • **housing:** Thirteen single-sex dormitories and six Greek houses • **enrollment:** 1,200 full-time students, 49% male, 51% female • **geographic representation:** 44% from Michigan, 56% representing 47 other states and 13 foreign countries • **academic year:** Two semesters; late August to mid-December and mid-January to mid-May • **degrees offered:** Bachelor of Arts, Bachelor of Science • **faculty:** 102 full-time, 43 adjunct; 81% hold highest degree in their disciplines • **student-to-faculty ratio:** 10-to-1 • **average class size:** 21 • **freshman retention:** 88% • **graduation rate:** 72% • **placement:** 99% of graduates are employed or attending graduate school within six months of graduation • **majors offered:** Accounting, Art, Biology, Chemistry, Classical Studies, Computational Mathematics, Economics, Education (Elementary and Secondary), English, Financial Management, French, German, History, Marketing Management, Mathematics, Music, Philosophy, Physical Education, Physics, Political Science, Psychology, Religion, Sociology, Spanish, Speech and Theatre • **interdisciplinary majors:** American Studies, Christian Studies, Comparative Literature, European Studies, International Studies in Business and Foreign Language, Political Economy • **pre-professional programs:** Pre-Dental, Pre-Engineering, Pre-Environmental Sciences, Pre-Forestry, Pre-Law, Pre-Medicine and Osteopathy, Pre-Theology, Pre-Veterinary Medicine • **athletics:** NCAA Division II Affiliation • **varsity sports, men:** Baseball, Basketball, Cross-Country, Football, Indoor and Outdoor Track • **varsity sports, women:** Basketball, Cross-Country, Softball, Swimming, Indoor and Outdoor Track, Volleyball

recent distinguished visiting faculty: Sir Martin Gilbert, Victor Davis Hanson, Mark Helprin, The Honorable Clarence Thomas

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

stir up outrage among alumni and the public—he became a minor *cause célèbre* for Bill O'Reilly on Fox News—and the college finally granted him tenure last year. But his example is a stirring exception to the iron rule of left-wing exclusivity.

Those who do find jobs in the ivory tower can't be too picky. In 1991, Diane Ravitch of the Teachers College at Columbia joined the Bush administration as an assistant secretary of education. She served for two years and then wrote a book on national standards for the Brookings Institution. With this project finished and her professional résumé sparkling, she assumed she would be welcomed back to her old school, where she had taught for 20 years. "I was told that my old colleagues didn't want me back," says Ravitch. She eventually wound up at New York University—not a horrible outcome, but also a case of a deserving scholar landing at a less prestigious school for committing a political offense. (Ravitch may not be a movement conservative, but as a school-choice supporter she falls well to the right of the education establishment.) Several universities have managed to poach talent by accepting conservatives rejected by more prestigious institutions. The law school at George Mason University, for example, has built an excellent faculty by spotting brainpower that others have overlooked.

Sometimes a right-of-center professor doesn't have to say anything in particular to earn a thumping.

But unhappy stories abound, even for those who gain the apparent comfort of tenure. On March 4, 2004, Hans-Hermann Hoppe, a German-born economics professor at the University of Nevada at Las Vegas, was teaching a class on money and banking. He wanted his students to understand the concept of time preference. This is the idea that some people place more value on the present than on the future. In other words, certain folks prefer to spend money now and others would rather save it for later. In his lecture, Hoppe, who is a libertarian, suggested that children and seniors have a high time preference in that they're more oriented to the here and now—because kids don't know any better and old people realize they won't live forever.

So far, so good. But then Hoppe provided a third illustration of his point—one that would cause him to clash with UNLV's propriety police for almost a year. He said that gays also exhibit a high time-preference because they typically don't have children, and therefore are less inclined to think about the next generation. He went on to note, mischievously, that John Maynard Keynes was homosexual and that perhaps this fact helped explain the legendary economist's support for the short-term interventionist policies that are anathema to Hoppe's private-sector approach.

A gay student in Hoppe's class objected to this characterization. Rather than questioning his professor, either during the lecture or later on, he went straight to UNLV affirmative-action officer Sam Connolly and complained. His feelings had been hurt, and thus Hoppe had created a "hostile learning environment"—a vague and catch-all term that often serves as the excuse for cracking the heads of professors who violate the canons of political correctness. The school convened a grievance committee, which demanded that Hoppe produce academic research to back up his statement about gays and time preference. Hoppe complied, and included material from the conservative Family Research Council. To his inquisitors, this served as further evidence of his homophobia. Months went by as the first grievance committee—and then a second one—debated what to do with the errant economist. All the while, Hoppe was told not to discuss his plight publicly. It seems that nobody loves gag orders as much as do university administrators.

CRIME AND PUNISHMENT

Finally, last January, UNLV came up with what it believed to be a fitting punishment: A letter of reprimand would go into Hoppe's file, and the professor would forfeit his next pay increase. Hoppe was expected to accept this humiliation. "There were hints that worse things, including termination, could be in the offing should I refuse to accept some sort of guilty verdict," he says. Instead of surrendering, Hoppe contacted a lawyer with the American Civil Liberties Union ("though our political views are poles apart," he notes) and began to fight back. Local reporters started following the story, as did an online community of libertarians who cheered for their comrade.

On February 9, UNLV provost Ray Alden sent what he called a "non-disciplinary letter of instruction" to Hoppe. It contained an order: "You are hereby instructed to cease mischaracterizing opinion as objective fact in the educational environment." But by dropping the financial penalty, the school was backpedaling—and the bad publicity was pressuring it to reverse course entirely. That, in fact, is what happened a little more than a week later, when UNLV president Carol Harter yanked the letter from Hoppe's file and declared that Hoppe had been within his rights to say what he did.

Hoppe, of course, wishes UNLV had not questioned his integrity in the first place. "I lost about a year of productive work," he says. "My scholarly output was minimal as compared to normal years. In addition, the affair led to numerous doctor visits to treat anxiety, sleeplessness, and depression." Was he persecuted for his political beliefs? "The severity of the threatened punishment definitely had to do with my widely known and outspoken libertarian and right-of-center views. The higher-ups in the administration could have put this down quickly, rather than letting it drag on for a year."

Sometimes a right-of-center professor doesn't have to say anything in particular to earn a thumping. In 1998, the theater department at Elizabethtown College in Pennsylvania staged *Jesus Christ Superstar*. Jesus was played by an actress, and "his" disciples were portrayed as NOW-style abortion advocates. Christ's accusers wore Pat Robertson masks. During the flogging of Jesus, images of prominent conservatives, such as Rush Limbaugh,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

were projected onto an overhead screen. One of them was Wesley McDonald, an Elizabethtown political-science professor well known for his conservatism. (He studied under Russell Kirk and has written a book about his mentor.) McDonald was depicted wearing devil horns.

"I was bothered to see images of my own faith used against me," says McDonald. The incident generated some attention in the local newspaper, the *Lancaster New Era*. But freedom of expression is what it is, and McDonald couldn't do much more than express his irritation.

Two years ago, McDonald applied for a promotion to full professor. Although his teaching and scholarship were rated "high quality," he was rejected—he had published, but now he would perish. "McDonald does not represent a model of collegiality, circumspection, or discretion," said a memo from the panel judging him. "One reference stated that 'Wes has attracted controversy.'" Getting caricatured as a demon tends to do that, of course, especially when one gripes about it. Fortunately for McDonald, a new dean arrived at Elizabethtown and last year he received his promotion. "I can't believe it took a fight," says McDonald.

For Klocek, formerly of DePaul, the fight's still going on but there almost certainly won't be a promotion. "If I went back there, they'd be waiting for me, looking for some small indiscretion so they could do me in all over again," he says. "I never realized how fragile free speech is in our society, or on our campuses." **NR**

What I Have Seen

Wisdom from a higher-ed career

VICTOR DAVIS HANSON

THE lament about our failed schools and universities is by now familiar. From the left, the complaint is that they are underfunded, even ignored by a shortsighted and heartless public. The pay of teachers and professors supposedly remains poor in comparison with similarly educated private-sector professionals. Schools are asked to educate troubled youth and thereby rectify societal ills, all the while seeking a broad equality of result among departing graduates; universities must also accept students who in the past were simply not college material.

Conservatives answer that the schools and universities have adopted a therapeutic curriculum in pursuit of political objectives.

Mr. Hanson is professor emeritus of classics at CSU-Fresno, a senior fellow at the Hoover Institution, and the author most recently of *A War Like No Other*.

The language of political correctness is often as torturous as it is tortuous. To give our readers some idea of how universities operate these days, we offer this gem from the website of Dartmouth College's Office of Institutional Diversity:

Responding to Questions of Cultural Insensitivity

Some suggestions of ways to respond—as a speaker or a listener—to things that are said that may be perceived as disrespectful or as creating barriers.

LISTENER -- SPEAKER

- I find the term you are using makes me uncomfortable.
- I support your desire to speak your mind but the language you are using strikes me as disrespectful.
- I am interested in your perspective, but the way you are approaching this topic promotes hostility not understanding.
- Did you need to make your point by using that language?
- Your understanding of this subject is important to me, but when you present your information this way you turn me off to learning more about your ideas.
- My judgment is not about you, it is about the language we are using.
- I think language is important, but I appreciate how difficult it can be to communicate.
- Statements or language usage can make a speaker's intentions misunderstood. Did I understand you to mean . . . . . ?
- I don't want to take your comments/terms out of context. Did you mean to suggest that women/minorities/gays . . . . . ?
- I hope I am not being too sensitive, but . . .

SPEAKER -- LISTENER

- My meaning and usage is technical but I am open to further discussion.
- Give me a second, I have never had someone ask me that question.
- I'm not sure I understand your position, but I want to explore your concerns.
- You raise a good point, but we won't have time to examine this idea until next week.
- Sounds like we should discuss these terms in greater detail.
- Thank you for giving me the opportunity to explain myself further.
- Language is important, but thank you for not jumping to conclusions about my intentions.
- I try and keep up on language usage and what might be considered terms that are culturally insensitive. I apologize if my words were offensive, that was not my intention.
- Thank you for not taking my remarks out of context. I was trying to be provocative not offensive.

This list of possible responses is meant to open up possibilities for more effective communication. We welcome your feedback and suggestions on these or other approaches.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Teachers and professors—through powerful unions, archaic tenure protocols, and easy legal redress—are largely unaccountable, and the incompetent among them are immune from removal. While the cost of administration has grown, the quality of education—as measured by either test scores or the ability of students to meet traditional course requirements—has declined over the last four decades. The problem is not too little money, but rather how much money is misspent.

I recently retired from a 20-year career in the California State University system—the world's largest public university, with over 400,000 students. The Fresno campus where I taught was roughly representative of the system's other 22 campuses, which dot the state from San Diego in the south to Humboldt and Chico up north—a good cross section, in other words, of public education in the nation's bellwether state. Looking back, I think CSU is symptomatic of how vast is the problem of higher education in America—and how unlikely it is to be resolved anytime soon.

CSU has come to resemble ancient Sparta: absolute equality and privilege for the depopulated peers inside the system, rampant exploitation for the growing mass of helots outside it.

In some ways CSU is an admirably idealistic institution with enormous challenges: It educates the children of some 3 to 4 million illegal aliens, deals with a series of state recessions and budget disasters, and survives under the control of the most partisan and politicized state legislature in the country. While the smaller and more prestigious University of California system offers Ph.D.s and has campuses in upscale Berkeley Hills, Davis, La Jolla, Santa Cruz, and Westwood, the blue-collar California State University grants nothing higher than the M.A. and occasional Ed.D. degree—mostly in applied and vocational fields—and has campuses in middle-class places like Bakersfield, Chico, Fresno, Hayward, and Turlock. Its commendable populist mandate is to educate students—many of them talented and hard-working—whom other universities might not let in.

CSU's students are not poor by global standards, at least if the ubiquity of nice cars, expensive sneakers, and iPods among them is any indication. But they are usually culturally impoverished. Many have never been out of California (much less overseas), visited a museum, attended a symphony, or read a classic work of literature. The university puts great emphasis on diversity and racial sensitivity, but the cosmopolitan student body usually divides spontaneously into racial enclaves in university plazas and eating places. Popular culture and mixed-race dating, rather than dozens of ethnic-studies classes, help to save CSU from tribal sectarianism.

The university's full-time professors are required to teach eight semester-length classes per year—no easy task when they are given neither teaching assistants nor adequate research budgets. A union shop on all campuses requires full-time faculty members to subtract high membership dues from their paychecks, even though only about a third have joined their appointed bargaining agent, the California Faculty Association.

Since expensive faculty members are often not replaced by similar permanent professors upon retirement, some 52 percent of the teaching faculty is not tenured or even on a tenure track. This trend, which is occurring not just at CSU but across the nation, is poorly reported—surprising, given its illiberal nature. The new horde of outsourced part-timers, many equipped with Ph.D.s, can be paid at a far cheaper per-course rate, often without benefits or employment protection. CSU has come to resemble ancient Sparta: absolute equality and privilege for the depopulated peers inside the system, rampant exploitation for the growing mass of helots outside it. Few worry that students cannot find their adjunct instructors for a meeting during office hours, or that those who increasingly do the teaching have no input in the governance of the university.

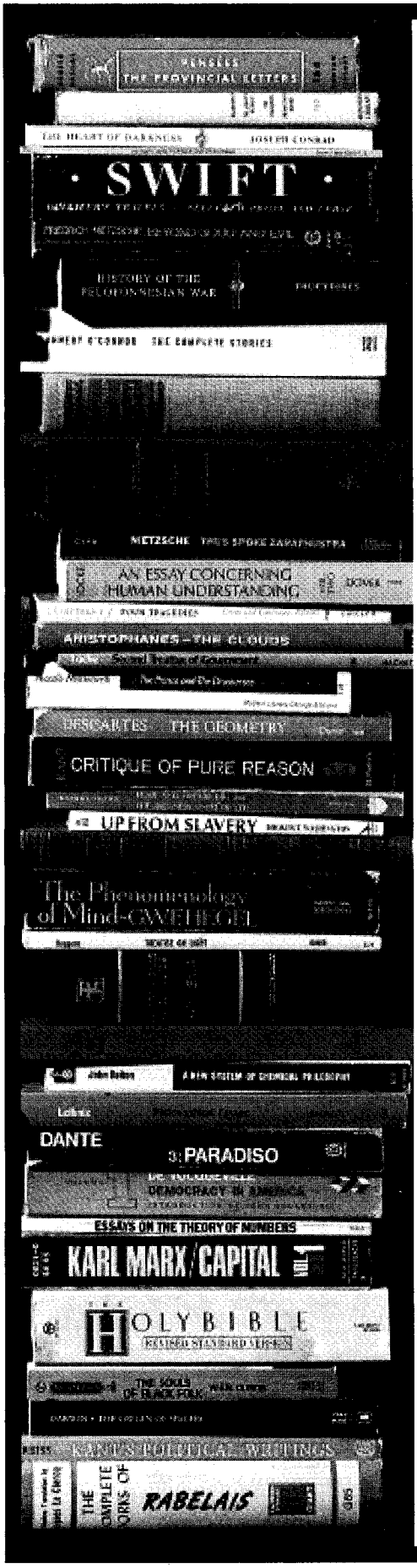
One of the more Orwellian aspects of the contemporary university is loud support from faculty members for such liberal causes as diversity, multiculturalism, and "social justice," even as they embrace these decidedly unfair employment practices. The administration's apparently cynical logic is undeniably brilliant: Full-time faculty, with tenure and generous benefits, will expend their critical energy yammering in abstractions about universal oppression without even questioning the concrete and immediate exploitation at home. It is almost as if savvy college administrators knew that the more their faculty mouth "Bush lied, thousands died" or show the propaganda film *Jenin, Jenin* on campus, the more they can ignore an outsourced Bill Smith who drops in, all but invisible, to teach two night classes, each paying about a quarter of what a full professor would receive for the same work.

A SELECT COHORT

The CSU system by its charter must admit any California applicant ranked in the top third of his high-school class who has at least a 2.5 grade-point average. Yet of that select cohort, nearly 40 percent are not eligible to enroll in regular university coursework without first completing a remedial, high-school-level math class, and almost half must take a course in basic English. Maddened professors usually blame the secondary schools for sending such unprepared students to their university. In response, high-school teachers cite all sorts of exculpatory circumstances—the breakdown of the family, illegitimacy, drug abuse, racism, poverty, suburban malaise, and the ennui of the American teenager—that make their instructional tasks nearly impossible.

One tactic that the university has not attempted is a return to the kind of universal and rigorous liberal-arts education that would challenge students. I had little if any success in convincing anyone that Latin, for example, rather than bilingual studies would improve

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



ST JOHN'S COLLEGE

ANNAPOLIS · SANTA FE

WHERE GREAT BOOKS ARE TEACHERS

Great books make great teachers. St. John's believes the best education is to be found in a direct and sustained confrontation with the works of those thinkers who have shaped our civilization. And all our classes are small discussion groups, because we also believe that students learn best by sharing their ideas with one another.

If you are interested in learning more about our curriculum, call us at 800-727-9238 in Annapolis, or 800-331-5232 in Santa Fe.

Our e-mail addresses are:
Annapolis campus
admissions@sjca.edu

Santa Fe campus
admissions@sjcsf.edu

www.stjohnscollege.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

migrant students' test scores—even though, as a classics professor who taught Greek and Latin to such students for two decades, I believed that to be the case. Most of the time, it was hard enough for principled faculty to fight off such politically motivated absurdities as allowing a course on slavery to be substituted for a required core class in American history, or introducing "Star Trek and the Humanities" into the curriculum. That curriculum fails to emphasize grammar; traditional composition skills; oral presentation and the defense of one's ideas during rigorous questioning; memorization of facts, dates, and concepts; and attention to history, literature, music, and art. From my own limited experience of seeing minority students of classics and ancient history excel after graduation, I believe such an emphasis on basic education would allow us to graduate once-disadvantaged students with enough verbal and analytical skills to compete with anyone in the cutthroat marketplace.

Instead, the CSU system finds itself trapped in a chicken-or-egg conundrum: Either it has to offer a great deal of fluff because so many of its students arrive fluff-headed, or so many of its students leave fluff-headed after taking a great many fluffy classes. Mediocrity is apparent not just in new and vapid academic programs and departments ("Recreation and Leisure Studies," "Conflict and Peace Studies"), or in the proliferation of such courses as "Basic Massage," "Rock Climbing," and "The Chicano Family." Far more revealing is the vast growth of new centers, programs, and services that simply could not have been conceived of in the university of the past but are now institutionalized—and require floor space, release time from teaching, new technologies, endless counseling, and millions of dollars in secretarial and administrative support.

The array of these projects at the Fresno campus alone is dumbfounding, and I offer here only a partial list: the Center for Educational Research and Services; the Department of Counseling, Special Education, and Rehabilitation; the Special Education Program; the Curriculum and Instruction Department; Early Childhood Education; the Department of Educational Research and Administration; Educational Administration; the Early Education Center; the Instructional Technology Resource Center; the Literacy and Early Education Department; the NASA Joaquin Valley Regional Teacher Resource Center; Reading/Language Arts; the Reading Recovery Project; the Teacher Preparation and Services Center; the Interdisciplinary Spatial Information Systems Center; the Solutions Center; the Center for the Enhancement of Teaching & Learning; Distance Learning; the Educational Opportunity Program; the Learning Resource Center; the Intensive Learning Experience Program; Southeast Asian Student Services; the Summer Bridge Program; University Migrant Services; University Outreach Services; the Educational Opportunity Center; Educational Talent Search; the Student Support Services Program; the Upward Bound Program; the Reentry Program; Services for Students with Disabilities; the Women's Resource Center.

Such programs go a long way toward redefining the university. No longer is it necessarily a place to prepare students for a sophisticated and competitive society; it is, rather, increasingly devoted to inculcating students with the philosophy that past inequalities perpetually create legitimate grievances that in turn deserve ever-expanding compensatory measures.

THE NEW CITIZEN

That philosophy has precisely nothing to do with education as we have understood it in the past. The new goal is rather to create a particular type of citizen. Conservatives are inexact when they decry the absence of civic education in our schools. In fact, there is quite a lot of civic education going on—but not of the sort that conservatives envision. The modern public university teaches the student that his verbal or analytical shortcomings have little to do with his lack of discipline, effort, or talent, but instead arise from a variety of social and state pathologies—ranging from poverty and racism to gender bias and public neglect. Redress can start only when the student realizes why and how he has been victimized and discovers that the same government that harmed him also offers more enlightened public servants to undo the damage. He is expected, after graduation, to proselytize for this creed of entitlement, big government, and victimization.

Either CSU has to offer a great deal of fluff because so many of its students arrive fluff-headed, or so many of its students leave fluff-headed after taking a great many fluffy classes.

The often well-meaning educators who advance that ideology embrace a therapeutic rather than a realistic—and, therefore, often tragic—view of human nature. They are committed to the idea that their budgets, counseling, and sensitivity can do what math, science, and liberal arts cannot: produce a happy and nice citizen. It is not so much that these adjunct staffers (who, unlike part-time faculty, are often employed full-time and well protected by the university) are irrelevant to the academic mission of the university as that they are antithetical to it. They give students perennial crutches, teach them to believe that others are responsible for their shortcomings, and persuade them that skills can somehow be obtained in ways less painful than the old academic notion of reading great literature, mastering English composition and basic math, and learning correct grammar.

On the other hand, if we dispense with the arcane notion that the billions spent on public higher education are supposed to produce creative, independent, thoughtful, and well-versed Americans, and assume instead that what we need are students who feel their nation's injustices and express their disillusion with exquisite sensitivity, then the university is not failing at all. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Five Myths . . .

. . . crying out for debunking

JAY P. GREENE &
MARCUS A. WINTERS

EVERYONE knows that schools are horribly underfunded, that classes are too big, that teachers are paid too little. Everyone knows that we need to expand financial aid and affirmative action to get more minorities and more financially disadvantaged students into college. And everyone knows that accountability testing under No Child Left Behind encourages little more than teaching to the test.

Mr. Greene is head of the Department of Education Reform at the University of Arkansas and a senior fellow at the Manhattan Institute. Mr. Winters is a senior research associate at the Manhattan Institute. They are the authors of the book *Education Myths*.

Unfortunately, much of what everyone thinks about education is nothing more than a myth. While these are all plausible stories—with bits of supporting evidence—they are simply not consistent with the facts. Before we can make real progress toward repairing America's schools we have to clear away these often-repeated, but unsupported, claims.

The Money Myth. Most people who assert with conviction that schools are in desperate need of money have no idea how much schools actually receive. Average federal and state spending is almost $500 billion each year for public K-12 schools, or about $10,000 per pupil per year. To put that amount in perspective, it is more than the $430 billion we spent on national defense in 2004. And while we always hear about school budget cuts, per pupil spending—adjusted for inflation—has *doubled* over the last three decades.

Doubling school spending, however, has not yielded a doubling in student achievement. In fact, student achievement has remained virtually unchanged. Math and reading test scores for 17-year-olds are the same today as they were during the Nixon administration, and science test scores have fallen, along with graduation rates. If schools only needed more money to improve, then we should have seen some benefits from this increased spending. Without stronger incentives for schools to use money more effectively, there is little reason to think that

At Shimer College, the Great Books College of the Midwest, we read and discuss classic works in the humanities, natural sciences and social sciences.

In classes of 12 or fewer, we pursue our mission to provide education that prepares students for active citizenship - encouraging questioning, considering various approaches, and listening to differing points of view.

A Shimer education "leads away from passivity, beyond either unquestioning acceptance of authority or its automatic mistrust, toward informed, responsible action."

Shimer College

The Great Books College of the Midwest

800-215-7173 www.shimer.edu 414 N. Sheridan Rd. Waukegan, IL 60085

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the next doubling of per pupil spending will produce anything different from the last doubling.

The Class-Size Myth. Asking parents whether they would like smaller classes for their children is like asking whether they would like a personal cook. Everyone would say yes, and assume that "cook" was synonymous with "gourmet chef." But if we have to hire a cook for *all* parents, they're more likely to get the fry guy from the local burger joint—there just aren't enough gourmet chefs to go around.

The same problem frustrates broad class-size-reduction mandates. Princeton economist Alan Krueger found that reducing class sizes in a small pilot program in Tennessee led to improved student achievement, but adoption of similar policies on a large scale has produced no benefits. When schools go on hiring binges to satisfy class-reduction mandates, they are forced to dip deep into the labor pool. Intuitively, one imagines that the reduction in teacher quality could offset the benefits of smaller classes. This is exactly what an evaluation by the Rand Corporation of California's statewide effort to reduce class sizes found: Students in smaller classes experienced learning gains that were no greater than those of students in larger classes.

We have also tried class-size reduction on a national scale with no visible effect. (Much of the spending increases over the last several decades went to hiring more teachers.) The average student-to-teacher ratio dropped from 22.3 in 1970 to 16.1 in 2002, yet student achievement on the national level did not improve during this time. Not only has class-size reduction failed to produce improvements when attempted on a large scale, but reducing class size is a very expensive reform strategy. A one-third reduction in class size requires roughly a one-third increase in spending, because schools have to hire more teachers and build more classrooms.

The Teacher-Pay Myth. If it is teacher quality, instead of class size, that really matters, should we not raise the meager salaries many teachers receive, to recruit better-qualified candidates? Like other education myths, this seemingly plausible argument does not stand up to close scrutiny. Teacher pay, computed on an hourly basis, is not all that meager. According to the Bureau of Labor Statistics, the average elementary-school teacher in 2002 made $30.75 per hour. That is considerably more than other public servants, such as firefighters ($17.91) and police officers ($22.64). It is even more than highly skilled professionals, such as biologists ($28.07), mechanical engineers ($29.76), and chemists ($30.68), and just shy of computer scientists ($32.86), dentists ($35.51), and nuclear engineers ($36.16).

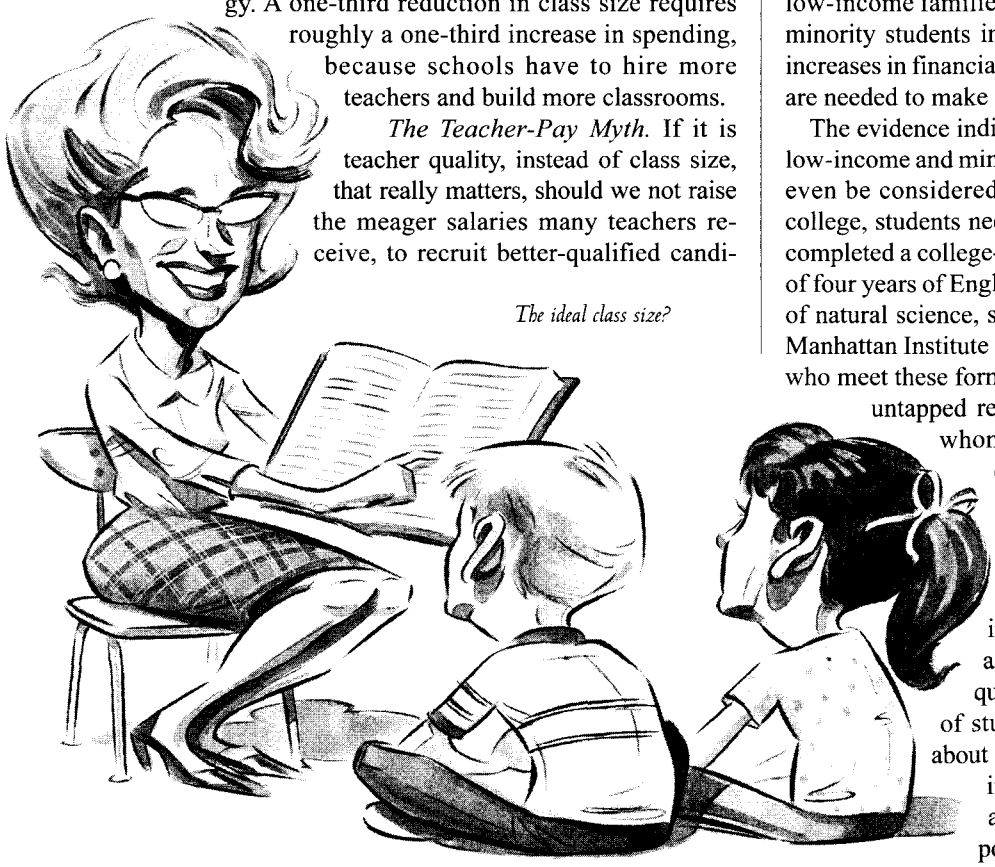
Not only do teachers reap benefits like shorter days and longer vacations, but these hourly rates do not include health and retirement benefits, which tend to be higher for public employees than for those in the private sector. Admittedly, these rates do not count hours worked at home, but there is no reason to believe that teachers bring home significantly more work than do other professionals.

This is especially true since most professionals can increase their income by doing more preparation at home, while teachers who take work home cannot expect to earn any more than teachers who never do: Teacher pay is based almost entirely on the number of years taught and the advanced degrees held, *not* on teachers' effectiveness. Until we connect salaries to performance, with meaningful merit-pay systems that identify and reward excellent teachers, raising teacher pay is unlikely to have any meaningful effect on teacher quality.

The College-Access Myth. Suburban parents suffering from tuition sticker shock assume that if sending their own children to college is a financial struggle, then it must be impossible for low-income families. The relative absence of low-income and minority students in college only confirms the belief that big increases in financial aid and more aggressive affirmative action are needed to make college accessible to all.

The evidence indicates that the primary barrier to college for low-income and minority students is academic, not financial. To even be considered for admission at virtually any four-year college, students need to have graduated from high school and completed a college-prep curriculum—usually one that consists of four years of English, three years of math, and two years each of natural science, social science, and a foreign language. In a Manhattan Institute study, we calculated the number of students who meet these formal qualifications and found that there is no untapped reservoir of academically prepared students whom colleges could enroll if only there were enough financial aid available.

About 4 million students enter high school each year, and of those 4 million only about 2.8 million will graduate. Because it is possible to graduate without having taken the college-prep requirements, only about 1.3 million students meet the formal qualifications to apply to college. The number of students who start college each year is also about 1.3 million. So no matter how much colleges increase financial aid, and no matter how aggressive they are with affirmative-action policies, they cannot significantly increase the



The ideal class size?

DARREN GYGI

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

number of students going on to college. The situation is akin to a leaking pipe: No matter how wide one opens the spigot, until we fix the pipe itself—the K-12 public-school system—no more water will come out.

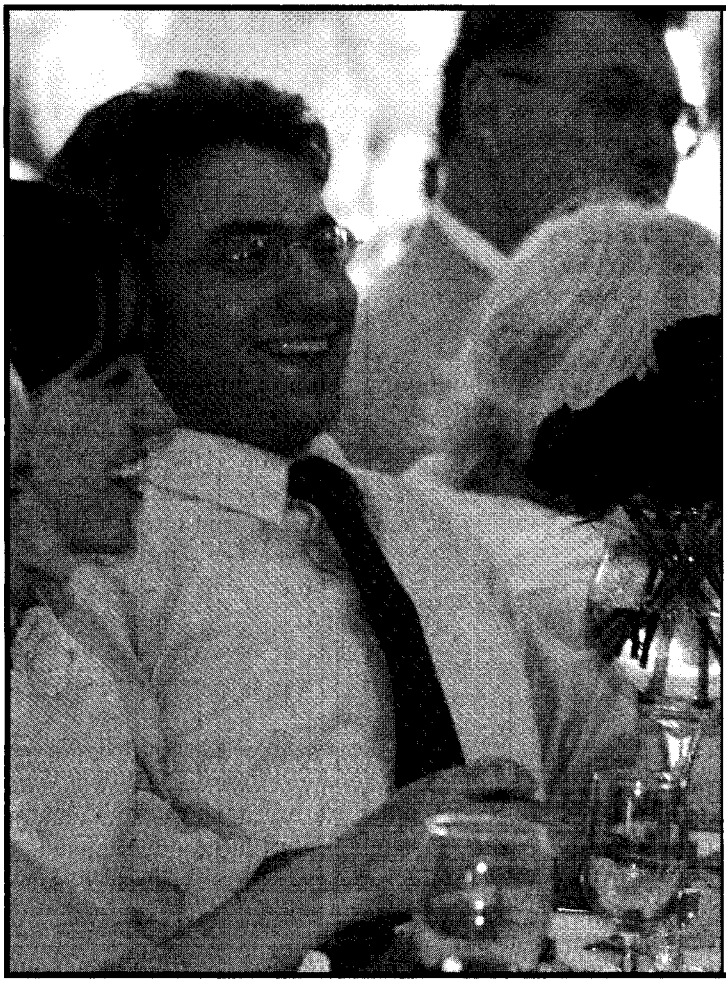
The High-Stakes Myth. High-stakes testing, where schools are rewarded or sanctioned based on results, has become universal with passage of No Child Left Behind. Some critics have alleged that attaching stakes to testing forces teachers to teach to the test, and not worry about whether students are *really* learning. While it is plausible that schools might attempt to polish their numbers without really improving student proficiency, the evidence doesn't support this claim.

In many places around the country, students take a low-stakes standardized test in addition to the high-stakes one required by NCLB. Since schools have no incentive to teach to a low-stakes test, or otherwise manipulate the results, we ought to see a divergence between the two tests if the critics are right. But when we compared high- and low-stakes test results in two states and seven school districts, we found that the tests produced very similar results. The consequences of high-stakes testing may indeed put pressure on schools to teach the skills required by the test, but the evidence suggests that it does not encourage any type of manipulation.

There are certainly other examples, and they all point to the same question: Just why are myths so prevalent in education? Part of the problem is that we are very familiar with our schools. We spend years in them, send our children to them, and many of us work for them. We think these direct experiences give us all the evidence we need. Unfortunately, our direct experiences are necessarily limited and distorted by our own participation. Another part of the problem is that education policy necessarily evokes strong emotions because it involves children. We have difficulty assessing rationally the evidence on school spending or teacher pay because we do not want to appear stingy or unsupportive.

But perhaps more important, education policy is dominated by organized interests, such as teachers' unions, school-board associations, and education bureaucracies. These organizations masquerade as advocates for the well-being of children when in fact they are no different from most interest groups: They will advance their agendas with evidence if they can and myths if they must.

We need to stop accepting the myths these groups promote, even though they may seem plausible, may be consistent with our direct experiences, and may affirm our emotional commitment to children. Myths certainly help the adults in the relevant interest groups, but they do real harm to children by misdiagnosing our schools' real problems—and by steering us away from real solutions. **NR**



Eat at the Big Table.

Unlike at many colleges, there's plenty of room for our students to eat with the faculty during meal times. But not only to eat. Students can feed on their knowledge and learn from their wisdom in a personal, family-like setting.

At Christendom, students are immersed into a family-friendly and authentically Catholic culture, based on centuries old traditions and customs. We value the relationships formed between the students and faculty.

We not only encourage them in their academic pursuits, but, more importantly, in their desire to eat at the Big Table of the Lord in Heaven.

Don't just go to college. Become part of something.

Come meet the family!

CHRISTENDOM COLLEGE

A Way of Life

Front Royal, Virginia

800.877.5456 ~ www.christendom.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the long view

ROB LONG

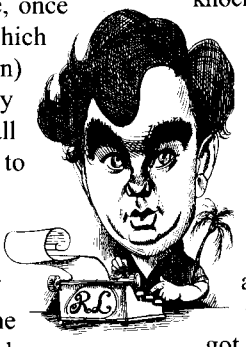
From the presidential mailbag . . .

Gassane Men's Wear
Austin, TX

Dear Mr. President:
It certainly was a pleasure to assist you this past summer in your selection of three new suits.

By now I know you have received the finished garments—the two blue Super 100's and the dark gray gabardine—and I hope you found them satisfactory.

As you may recall, I was required to measure your inseam twice, once for the blue serge suits (which drape in an identical fashion) and once again for the gray gabardine (which you'll recall has a slightly heavier hand to the fabric).



I was reminded, sir, upon seeing the news this morning about the nomination of Harriet Miers to the Supreme Court, of my longstanding desire to be Under Secretary of Defense for Procurement and Operations. As one of the few men who has had his hands up and down the inside of your right leg, I feel uniquely qualified for this post.

Thank you for your consideration.

Yours sincerely,
Gus Gassane

"The Brook House"
Judge's Lane
Old Lyme, CT

Dear Mr. President:
Mr. President! Still can't get used to that one, sorry! Gotta call you George, like in the old days. Can't forget our friends, can we?

Anyhoo.

Sitting here with my better half—you remember Ginger, right? She's number three, right after Joanie (who you never met, I think) and Joanie came after Meredith. You remember Meredith, right? Of course you do! You were best man at our wedding!

Man, what a wedding that was, huh? Memorable! Crazy! A lot of that had to do with my best man, ahem ahem! (Seriously, though, I know it's been years, but no one blames you for the accident at all. No one could have known that Meredith's aunt was totally deaf and couldn't hear you blowing the horn on that old Dusenberg!)

As I was saying. Sitting here with Ginger, and gonna be totally honest with you, the hedge-fund folks aren't really knocking on my door these days and i-banking is out for me (too old, they say) and then I see the news about Harriet Miers and the whole Supreme Court thing and Ginger says to me, "Hey, you know him, right?" And I say, "*Know* him?" And I tell her some old George stories, and she says, "Well, he seems to take care of his friends," and so I got to thinking, hey, I'm a friend, right?

Anyhoo. Here's the deal: Anything down that way for me, do you think? Spent a lot of time at US Trust in the private banking arena, so I think Treasury is right, fit-wise. But I defer to you, good sir . . .

Lemme know . . .

Jinx

Block 9A-387
Texas Minimum Security
Men's Facility
Wichita Falls, TX

Dear Mr. President:
I take pen in hand to remind you of an incident that occurred many years ago I hope you remember when in Midland Texas we were in Midland Elementary School together.

I hope you remember me my name then was Scudder and you called me Scud and once I let you copy my spelling words do you remember copying my spelling words I do.

Since then not too much good has happened to me I am now in Texas Minimum for a series of events that occurred a few years back during a stressful time in my life but now things are better and I see that you are famous for remembering your friends and giving them jobs and I think letting someone copy someone's spelling words back in Midland Elementary counts as being friends.

Please give me a job in the Department of Justice or the department that does things with Indian casinos which is something I know a lot about.

Your friend,
Scudder (Scud)

TO: No43@bushnet.com
FROM: BigWhite@bushnet.com
RE: FW: Barbara, could you forward this to GW?

I'm sending this along without comment. Xxoo mom

>> Hey Barbara! Great news about Harriet! Saw her on Fox this AM and her hair was so cute! And she was wearing the cutest top!

>> Does W remember my oldest daughter, Lurleen? She's the one married to the fellow with the milky eye? Anyway, Lurleen's been working at the dentist's office for the past few years, doing billing and receptionist work and whatnot, and when I saw the news about Harriet I just thought, well, Lurleen would make a terrific Surgeon General, what with her experience and all. Plus, it's not like she's a stranger, right?

>> Let me know when to tell Lurleen the good news! And tell W that if he needs any real Israel experts to let me know. We just met the most fabulous Jew couple last week and we could just eat them up!

>> Go Longhorns!!!! Hugs, Mary Beth

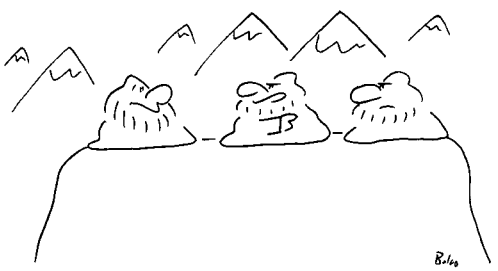
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

HELP!!!!

Getting DeLay

As Ronnie Earle, who never nailed
Kay, targets cocky Tom,
A thrilled Nancy Pelosi screams,
Quite shattering the calm
That settled after Cindy left;
Though legal teams suggest
The D.A.'s brief looks messy as—
They're messy—a gull's nest.

—W. H. von Dreele

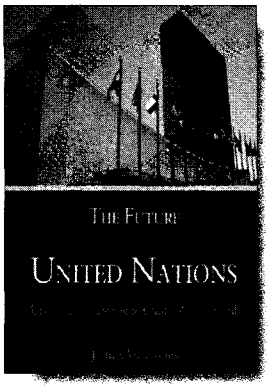


"No way I'm becoming one with the same Universe he's becoming one with!"

"I'D LIKE TO THANK MY DAD AND PRESIDENT CLINTON FOR HELPING IN THIS BIPARTISAN EFFORT TO BRING AID TO KATRINA'S VICTIMS."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The U.N. Problem



The Future of the United Nations: Understanding the Past to Chart a Way Forward, by Joshua Muravchik (AEI, 175 pp., $20)

JAY NORDLINGER

THE United Nations is like the weather: Everyone complains about it, but no one does anything about it. (Leave aside whether the U.S. president can prevent hurricanes.) And when I say "everyone" complains about the U.N., I mean conservatives, of course, because the Left is quite pleased with the U.N.: They tend to regard it as a bulwark against the United States, and as a basis for world government. But conservatives have no settled position on the U.N.: Should the U.S. withdraw? Try to create a Union of Democracies (apart from the U.N.)? Should the U.S. boot the United Nations from American soil? Rejigger it, starting with the Security Council? Utterly rethink?

These are big questions. Fortunately, Joshua Muravchik decided to devote himself to them, and has produced this slim, useful book. Muravchik is well-known as a "neoconservative," although that term has been subjected to so much abuse recently, it is barely worth using. Among Muravchik's books is *Heaven on Earth: The Rise and Fall of Socialism* (2002). Muravchik is sensible, experienced, thorough, and fair—and so he is in his U.N. book. It is not a "U.N.-bashing" book, although there is plenty to bash. It is factual, cool, and—as I have said—useful.

Few Americans grasp how important the United Nations is outside the United States. So it is with the concept of "international law," a concept twisted like taffy. To Europeans and others, these things are virtually all-meaningful. I remember talking to a Greek journalist, several years ago. He said that he thought NATO's war against Milosevic and the Serbs was morally justified—but nevertheless "illegal" (i.e., not authorized by the U.N.). My journalist friend added that his position made him an American apologist in the Greek context. And, of course, the U.N.'s secretary general, Kofi Annan, pronounced the Iraq war of 2003 "illegal."

As Muravchik and others of us have noted, Annan is the embodiment of the rot of the U.N.—the perfect U.N. man, in a way (and, indeed, the first secretary general to rise from the U.N. bureaucracy). A few weeks ago, I saw him on Opening Night of the Metropolitan Opera, in his usual prominent box: the toast of society, revered by every elite, "president of the world," as he has been dubbed. If Bill Clinton becomes secretary general—the only position left to him, really—that will aggrandize the U.N. even more. And Muravchik and likeminded analysts believe that a diminution of the U.N.'s importance is much to be desired. In his own book about the U.N.—*Inside the Asylum*—Jeb Babbin quotes Paul Johnson: "The U.N. is now a central problem of the world, because we take too much notice of it." Americans might practice a little benign neglect.

Muravchik begins his book with a history of the United Nations, and a sad history it is. The U.N. was born of great hopes, out of the wreckage of World War II. And Muravchik points out the "irony" of the current "anguished relations between the United States and the United Nations": The U.N. was "largely an American invention." Churchill, in his wisdom, wanted to emphasize regional alliances, but the Americans were going for something grander. One of those Americans was Mrs. Roosevelt, who championed the Commission on Human Rights. That commission is now occupied by Castro's Cuba, genocidal Sudan, and other such actors. Indeed, Mark Steyn recently wrote that the human-rights commission "looks like a lifetime-achievement-awards ceremony for the world's torturers."

It could have been that, from 1945 until 1991—that is, from the U.N.'s founding to the collapse of the Soviet Union—the U.N. had no proper chance, because the Cold War was on, and that fact ruled all. So, the post-1991 years would tell the tale. But the "new" U.N. soon proved hollow, as the organization dithered and quailed in the face of Yugoslav hell.

Muravchik goes through the list of horribles, and horrible they are: Bosnia, of course, and Rwanda, and Darfur—which is still in progress. To be reminded of these events, and the U.N.'s relation to them, is to be sickened. Muravchik also discusses child-sex rings run by U.N. peacekeepers, and the Oil for Food scandal. Almost no one not named Claudia Rosett—she is the leading journalist on Oil for Food—knows how bad the scandal is. In economics, the U.N. has been a basketcase, encouraging others to be basketcases. In stopping nuclear proliferation, the U.N. has been feckless. In the Middle East it has outdone itself. Muravchik—who is a sober, even a dry, writer—writes, "In a thousand ways the U.N. acts as a kind of permanent pogrom against the Jewish state." He backs up this statement, too, nauseatingly.

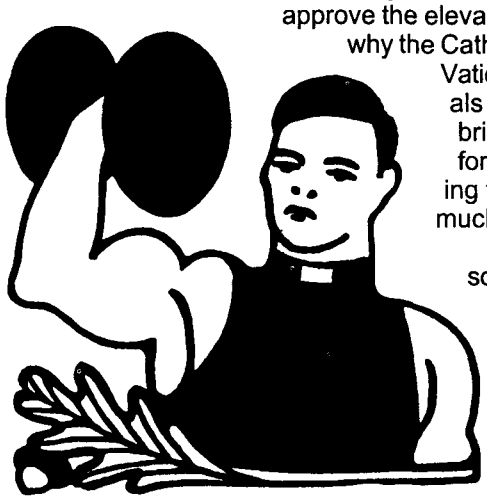
The author has learned the ways of the U.N., becoming a kind of anthropologist of the organization: He tells about the vote-trading, the bloc-forming, the money-wasting (aside from thievery). He shows how democracies can gang up with dictators against the United States. France is a special case. It has colluded with Milosevic, Castro, the PRC—all of them, practically. Almost nothing is as important to France as its status as a permanent member of the Security Council. As Dore Gold writes—in yet another

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Catholicism With TESTOSTERONE

God created Adam and Eve, not Adam and Steve. That is, God ordained the differences between the sexes, and they are biologically rooted.

Males are more aggressive, take leadership positions, are more competitive, build hierarchies, and are quicker to act and make decisions. Females are less combative, more tender, seek to maintain social bonds, and tend to conform to group expectations. Males like to argue, females prefer to dialogue. The big factor here is testosterone. So says the research.



Since Vatican II, the Church is now much less "combative" vis-à-vis the world, even as the world has sunk deeper into depravity. The Church is interested in "maintaining social bonds" with the world, and the Church has to a significant extent "conformed" to the world's expectations. Instead of "argumentation" with Protestants, non-Christians, and atheists, the Church has chosen to "dialogue" with them. As for internal dissent and heresy, and disobedient bishops, the Church is no longer "quick to act and make decisions." And even when a decision is finally made, there is seldom effective enforcement. All of this bespeaks feminization.

Still, the Church is hierarchical, and her leadership, from pope to deacon, is all male. How could a patriarchal Church become feminized? Because of all the homosexuals in the priesthood and episcopate.

Pope John Paul II was a good pope, but he had a blind spot. Geopolitical expert Jack Wheeler has said: "A Vatican source has disclosed...a psychological trauma of John Paul II. Whenever Vatican investigators brought the results of their vetting process regarding an individual's candidacy for bishop, cardinal, or other office, and they revealed he was a homosexual, John Paul would refuse to believe it. He did so because accusing someone of homosexuality was a standard practice of the Communist government in his native Poland regarding anyone it regarded as an enemy of the state.... He summarily dismissed such accusations...and would approve the elevation of anyone so accused. This is why the Catholic Church, from bishops...to the Vatican itself, is riddled with homosexuals today." While John Paul helped bring down Communism, an external force, the homosexuals were subverting the Church from within, which is a much greater danger.

This explains why John Paul was so slow to do anything about the clerical sex scandals (overwhelmingly homosexual) in the U.S. Moreover, the sexual perversion in the priesthood and episcopate in the U.S. has hardly been dealt with. Although there is a strong policy on the sexual abuse of *minors*, nothing has been done about homosexual clerics who are sexually active with *adults*, including fellow clerics. The Lavender Mafia, consisting of clerical "gays" who protect and promote their own, is still riding high. Unless the homosexuals are rooted out of the clerical ranks, the dismal state of the Church will never change.

We at the NEW OXFORD REVIEW, an orthodox Catholic monthly magazine, cover all the issues of concern to loyal Catholics. Among those who've written for us are Walker Percy, Alice von Hildebrand, Tom Bethell, and Michael S. Rose (whose book *Goodbye, Good Men* exposed the homosexual rot in many of our seminaries). If, like Chesterton, you want the Church to move the world *rather than be moved by it*, subscribe today!

(Please allow 2 to 8 weeks for delivery of first issue.)

★ SPECIAL FIRST-TIME SUBSCRIBER RATES WITH THIS COUPON ★

- ☐ One-year subscription ..... **$17** (regularly $19)
- ☐ One-year student, unemployed, or retired person's subscription..... **$14** (regularly $16)
- ☐ Two-year subscription ..... **$27** (regularly $35)
- ☐ One-year non-U.S. subscription ..... **US$26** (regularly $29) Payment must be drawn in U.S. Dollars.
- ☐ Sample copy **$3.50**

→ The prices offered here are *so low* because you can't pay by credit card and payment must accompany order. Send this coupon with check payable to NEW OXFORD REVIEW. Mail to:

Name (Please print or type)

Street Address or P.O. Box

City State Zip

new oxford review
Room 216
1069 Kains Ave.
Berkeley CA 94706

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

recent, right-leaning U.N. book, *Tower of Babble*—the mentality of France is, "I veto, therefore I am."

Muravchik and these others allow that the U.N. can do some good: Peacekeepers in pale-blue hats are helpful, when all parties desire their presence. Regulatory agencies such as the International Telecommunication Union serve their purposes: Someone has to establish protocols for worldwide e-mail and the like. But the U.N. requires a shakeup. Over the years, there have been endless proposals for reform, all amounting to nothing. Secretary General Annan himself is leading the latest charge for reform. To quote Steyn again: Annan's pledges to reform are like O. J. Simpson's pledges to find "the real killers."

The U.N. will always have its defenders, in part because the ideal is so sweet. But, as Muravchik writes—in the very first words of his introduction—"After sixty years, the United Nations, as we know it, is a failure." And there is no Pax U.N.: If we have known war-reduction since 1945, it is because of the United States—because of a Pax Americana. I am reminded of an observation in NATIONAL REVIEW many years ago: that, every year, the Nobel Peace Prize should be awarded to the U.S. military, the biggest keeper of the peace on the planet.

Over the years, there have been endless proposals for U.N. reform, all amounting to nothing.

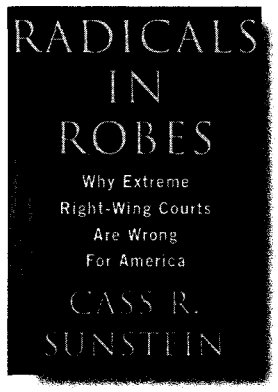
So, the answers? Muravchik suggests some small steps: The United States can withhold funds, as it has done before, forcing positive changes. The U.S. can insist on greater openness at the U.N.—demanding the equivalent of our Freedom of Information Act. And, as the "sword" of the Security Council, the United States might claim the sole individual veto. "The other permanent members could also exercise a veto, but only, say, when three of them joined together." These are mild proposals, on the order of fiddling, shocking as they would seem to some.

Fundamentally, Muravchik is for junking the "political" elements of the U.N.—the Security Council, the General Assembly, the Commission on Human Rights—and retaining the "specialized agencies": the World Health Organization, UNICEF, that telecommunication union. This would not "abolish" the U.N., but "liberalize" it. Nations would form natural alliances and coalitions—caucuses and clubs—and the U.N., still in New York, would "continue as a gathering place for diplomats from all over, a high-level salon."

Dore Gold, too, advocates "working with allies outside the U.N. framework," and giving up on the fiction of an "international community" (with common goals and values). And Babbin, very attractively, argues for a "gradual withdrawal" from the U.N., or "getting out of the U.N. game." You simply downgrade its importance. "First and foremost, no American president should ever again bring any serious issue before the U.N. Security Council." And why should Washington send a fancy, exalted envoy to the U.N.? A minor diplomat will suffice. I smile at the memory of something Reagan did in 1987: Displeased with some U.N. conference or other, he sent a relatively low-level aide, who cheerfully called himself "the traveling insult." Perhaps we should have more such insults. Another—less flip—way to put this would be: Maybe we should be more realistic about the U.N.—its history, its present, its potential.

Conservatives have jawed about the United Nations for a long time. Almost everything in the recent books is present in Bill Buckley's book of 1974: *United Nations Journal: A Delegate's Odyssey*. It so happens that the War on Terror—particularly its Iraq component—has given new impetus to U.N. rethinking. Dore Gold says that, "with determined leadership, the United States can lead its allies in creating a safer and freer world." George W. Bush is determined. He is not averse to breaking up old orders, striking out on new courses. But his time is fairly short, and his headaches are many. The U.N. will not make it onto his agenda. But if some future, nervy president wants to do something big, plenty of bright and good people have shown the way. **NR**

Boiling The Frog



Radicals in Robes: Why Extreme Right-Wing Courts Are Wrong for America, by Cass R. Sunstein (Basic, 281 pp., $26)

EDWARD WHELAN

FROM all appearances, Cass Sunstein's latest book must have been rushed into print to capitalize on potential book buyers' attention to the initial Supreme Court vacancy that developed this past summer. Sunstein, a professor at the University of Chicago Law School, is by all accounts a brilliant legal scholar. But *Radicals in Robes* is a slapdash and highly partisan effort that does not do justice to his reputation.

It would be tempting to ridicule at length Sunstein's assertion that the courts "have already gone so far in the directions that conservatives prefer"; his parade of potential right-wing horribles; his contrived "value-neutral definition" of judicial activism; and his many straw-man arguments, such as the claim that "those who believe that regulatory takings are a violation of the Fifth Amendment" would have difficulty explaining "why a progressive income tax . . . is constitutionally acceptable."

Mr. Whelan is president of the Ethics and Public Policy Center and a regular contributor to National Review Online's Bench Memos blog on judicial nominations.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

(Has he not noticed the Sixteenth Amendment?) Not to mention the many gaffes, such as his reference to "Justice William Kennedy."

But a focus on these superficial flaws would divert attention from the deeper defects in Sunstein's underlying argument.

Sunstein sets out to "describe the four approaches that have long dominated constitutional debates." He labels these four approaches "perfectionism," "fundamentalism," "majoritarianism," and "minimalism." Focusing especially on how fundamentalism and minimalism apply to various hot-button questions of the day, he argues that fundamentalism "would endanger both our rights and our democratic institutions" and instead promotes minimalism as "best" for "the contemporary United States."

The labels that Sunstein attaches to his four approaches are confusing and tendentious. Perfectionists, it turns out, "want to make the Constitution the best that it can be" by reading its text "in a way that reflects their own deepest beliefs." Perfectionism, in other words, is an alternative euphemism for the make-believe jurisprudence that invokes the "living Constitution." Yes, the problem with Justice Brennan was that he was just too much of a perfectionist. To his credit, Sunstein rejects perfectionism and criticizes *Roe* v. *Wade* as "exemplifying perfectionism at its most extreme."

In case you hadn't guessed, "fundamentalism" is Sunstein's pejorative label for originalism, the principle that the various provisions of the Constitution must be interpreted in accordance with their meaning at the time they were ratified. Sunstein's only reason for relabeling originalism is to load it with the baggage that religious fundamentalism carries with his target audience.

Sunstein doesn't recognize that what he calls majoritarianism isn't a separate approach at all. Rather, it merely provides a high burden of judicial proof that would apply within an originalist (or other) framework. As Sunstein puts it, "Unless the Constitution has been plainly violated, majoritarians believe that the courts should defer to the judgments of elected representatives." Some decisional framework outside majoritarianism is needed to determine whether "the Constitution has been plainly violated."

What is minimalism, the approach Sunstein embraces? Minimalists "favor shallow rulings over deep ones, in the sense that they seek to avoid taking stands on the biggest and most contested questions of constitutional law." They "attempt to reach *incompletely theorized agreements* [Sunstein's emphasis] in which the most fundamental questions are left undecided." They "celebrate the system of precedent in this spirit." Minimalists can be liberals like Ruth Bader Ginsburg or conservatives like Sandra Day O'Connor. They are "cautious by nature" and would "nudge" rather than shake "the law toward the views of those who ratified the relevant provision of the Constitution." As an example of minimalism in practice, Sunstein says that minimalists oppose overturning *Roe*: Although they "are far from sure that *Roe* was right," they "are willing to accept it, not in spite of but because of their essential conservatism."

Sunstein's account of minimalism is a jumble. If minimalists really aimed to "nudge the law toward the views of those who ratified the relevant provision of the Constitution," they would be originalists in principle and gradualists in their tactics. But Sunstein plainly does not regard minimalism as a gradualist version of originalism, and neither Ginsburg nor O'Connor could be classed as a minimalist if he did. For all of its claimed modesty, what respect does minimalism accord the right of American citizens to resolve issues through the democratic process if it is unwilling to overturn wrong, and judicially activist, decisions like *Roe*?

The incoherence of Sunstein's account and the oddity of a constitutional theorist's celebration of "incompletely theorized agreements" suggest that something else underlies Sunstein's advocacy of minimalism. That "something else" is easy to discern and has two aspects. First, Sunstein advocates minimalism here and now ("for the contemporary United States") because he is, by and large, content with the precedents in place and sees minimalism as the best defense of those precedents against originalist overturning. Second, Sunstein in fact regards minimalism, over the long run, as the tactically prudent, gradualist path to a liberal "perfectionist" rewriting of the Constitution. Thus, for example, he doesn't want the Supreme Court to impose same-sex marriage "at this early stage" because it would be better if the courts "act[ed] as catalysts" on gay rights.

Sunstein's minimalism, like Ruth Bader Ginsburg's, is better described as boil-the-frog gradualism. We American citizens are like the frog in the pot of water on the stove. If the Court turns up the heat—that is, imposes the Left's agenda—too suddenly, we'll jump out. But if it does so gradually, we'll sit there in blissful ignorance until it's too late.

Sunstein's attack on the legitimacy of originalism is even more disturbing. Assume, Sunstein says, that the Framers were committed to originalism. Does it follow that we must be originalists? No, he says, for it "is up to *us* to decide whether to accept" originalism. Why,

NO ONE SHOULD WRITE ABOUT THINGS LIKE THIS

The "Little King" was a character in the comics, long ago, and I used his name as a term of endearment for my wife, and sometimes with other things in mind

Bad dreams. The little king
wanted to cut off my head.
She gave me a silver ring.
I was as good as dead.

I ran so far away
I thought I could never come back.
In a dream, I heard her say,
I want to marry Jack.

The ring still hadn't vanished.
But I love you, I said.
I'm back. We're not finished.
I was as good as dead.

She was kind, tolerant,
but *I can't give up my life*
for something I don't want.
No dream. I've lost my wife.

I'm writing this down alone.
No love. Nobody's home.
Some monsters devour their own,
some use them for a poem.

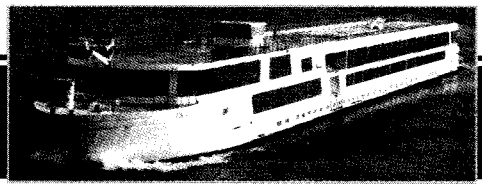
—MICHAEL CREAGAN

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Sailing May 4 -13, 2006

Rhine River Charter

WITH MICHAEL NOVAK, CAL THOMAS, MONA CHAREN, JOHN O'NEILL, KATE O'BEIRNE, RICH LOWRY, and JAY NORDLINGER



VISITING AMSTERDAM, DÜSSELDORF, COLOGNE, KOBLENZ, MAINZ, RÜDESHEIM, HEIDELBERG, MANNHEIM, STRASBOURG, AND BASEL

WE ARE PROUD to announce *National Review*'s next delightful adventure: our 2006 Rhine River Charter Cruise.

Featuring a line-up of all-star conservative speakers, and a gloriousfour-country Rhine River itinerary—Amsterdam in The Netherlands; Düsseldorf, Cologne, Koblenz, Rüdesheim, Mainz, Mannheim, and Gernsheim in Germany; Strasbourg in France; and Basel in Switzerland—this special trip (which includes two days "pre-cruise" in Amsterdam!) will take place May 4-13, 2006, aboard Viking River Cruises' new and luxurious 5-star *Helvetia II*.

You must join us for this thrilling charter trip—our *NR*-only contingentof congenial conservatives will enjoy a fabulous itinerary and inclusive excursions—a package that Viking River Cruises *specially* designed for us! We're certain this will be another intimate *NR* experience (the luxurious *Helvetia II*, which will launch in April, 2006, holds just 200 people) that you won't want to miss.

Joining us for all the unrivaled conservative revelry and discussionof major events, trends, and policies will be **Michael Novak**, the eminent scholar, philosopher, and author (the NRO Contributing Editor writes powerfully on theology, economics, and public policy); **John O'Neill**, the Vietnam War hero who founded "Swift Boat Veterans for Truth," which played a major role in the 2004 presidential elections, respected columnists and authors **Cal Thomas** and **Mona Charen**, and *NR* all-stars **Rich Lowry**, **Kate O'Beirne**, and **Jay Nordlinger** (we have also extended several other invitations to other outstanding conservatives!).

Surely, *NR*'s 18th(!) cruise will be second to none. The itinerary alone is worth the trip:

8 FREE TOURS, INCLUDING HEIDELBERG & MOSEL VALLEY!

DAY/DATE	PORT	ARRIVE	DEPART	SPECIAL EVENT
Thur/May 4	Amsterdam	Arrive morning		Transfer to hotel
Fri/May 5	Amsterdam			Keukenhof/Aalsmeer flower auction tour
Sat/May 6	Amsterdam		6:30pm	Afternoon panel session Evening cocktail reception
Sun/May 7	Düsseldorf	11:00am	(overnight)	Morning panel session City tour/Benrath Palace
Mon/May 8	Düsseldorf		4:30am	
	Cologne	9:00am	10:00pm	City Walk/Cathedral and Brauhaus Tour Late-night Smoker
Tue/May 9	Koblenz	6:00am	2:00pm	Mosel Valley excursion Afternoon panel session Evening cocktail reception
	Rüdesheim	7:30pm	(overnight)	Late-evening wine tasting
Wed/May 10	Rüdesheim		6:00am	
	Mainz	8:30am	12:00 noon	Gutenberg museum and City walking tour
	Gernsheim	2:30pm (drop off)		Heidelberg excursion
	Mannheim	6:00pm	(overnight)	
Thur/May 11	Mannheim		2:00am	Morning panel session
	Strasbourg	2:00pm	(overnight)	City tour Late-night smoker
Fri/May 12	Strasbourg		1:00pm	Alsace/Vosges excursion Afternoon panel session Evening cocktail party
Sat/May 13	Basel	12:00 midnight (arrive)		

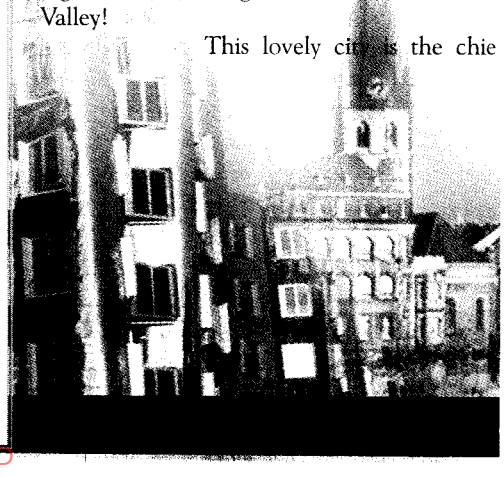
This 800-year-old city is renowned for its magnificent museums, colorful gardens, glorious architecture, and endless lattice of canals. During our pre-cruise stay, we'll enjoy a special tour of the famous Keukenhof/Aalsmeer flower auction.

This major arts center, home to numerous theaters, museums, and the German Opera House, is also a shopper's paradise (the Königsallee features many classy shops and pavement cafés). Our guided city tour will include a visit to Benrath Palace, with its stunning rococo interior and massive, beautiful gardens.

An intriguing mix of old and new, Cologne's Roman heritage is evident from the city's layout and many ancient ruins. Its modern plazas and the Hohe-Strasse, a pedestrian-only retail zone, provide ample shopping, lively bars and enticing restaurants. On our city tour, we'll visit the city's famous 14th century gothic Dom Cathedral (as well as a "Brauhaus" visit!).

Capturing traditional German charm, this city of cobblestone streets, ancient market squares, and medieval churches is home to the Ehrenbreitstein (Europe's oldest fortress). From here we'll be taking an exciting, extended, and guided tour of the Mosel Valley!

This lovely city is the chie

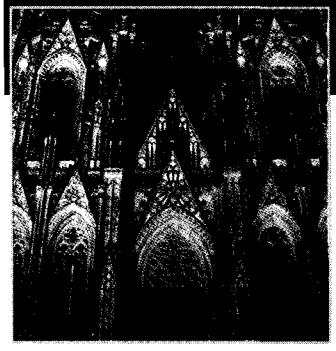


LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

on Viking River Cruises' new *Helvetia II*

Cruise

FREE TWO-DAY PRE-CRUISE STAY IN HISTORIC AMSTERDAM!



center of the Rhine wine industry. Its famed Drosselgasse, a tavern-lined, cobblestone street, attracts locals and visitors alike. Half-timbered medieval houses, narrow streets, and old inns give the town the flavor of the Middle Ages.

This ancient Roman city and important Middle Ages' trade center is famous as the home to printing pioneer Johannes Gutenberg. *NR*'s contingent will be visiting the Gutenberg Museum, as part of a City Walking tour. St. Stephen's Cathedral, which features Chagall's glorious stained-glass windows, is a must-see!

From this charming port we'll take an *NR* group tour to Heidelberg, famous for its esteemed university, charming Old Town, and awesome castle.

Renowned for its classical "chessboard" layout dating from the 17th century, Mannheim—featuring many elegant shops, cafés, and restaurants—is a haven for culture and the arts. You'll find the baroque Mannheim Residence, with its ornamental stucco knights' hall, of special interest.

This delightful border city exhibits both French and German influences. The old streets of "Petit France"—we'll saunter down them on the *NR* guided City Walk tour—with wooden houses and picturesque canals seem to make time stand still. We'll stay in this very special place overnight, with our second "day" featuring an NR excursion to delightful Alsace and Vosges.

Our last port is located at the point where French, German and Swiss borders meet, historic Basel, with cobblestone streets, 18th century buildings and three surviving medieval gates, is the gateway to the Swiss Rhineland.

That phenomenal cruise will be made all the better by the many "extras" that are part of an *NR* experience: ***The National Review 2006 Rhine River Charter Cruise*** will feature six seminar sessions (each two hours!) where our guest speakers and editors candidly discuss today's most important issues; three classy cocktail receptions and two delightful "smokers" featuring cigars (picture yourself on the Sun Deck, a delightful drink in hand, surrounded by new-found friends, as the luxurious *Helvetia II* gently sails past the most charming villages and vistas you will ever see, in the company of friends old and new!); plus intimate dining on two nights with our editors and guest speakers!

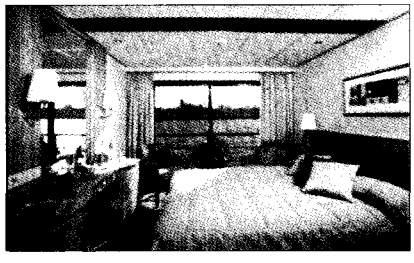
It's the trip of a lifetime—that's why 40 cabins (nearly half our available rooms!) are already booked. Don't miss out: Sign up today—call 1-800-707-1634 for a reservation kit, or get complete information (and sign up) right now at **www.nrcruise.com.**

Experience the trip of a lifetime: Join us in May, 2006—along with Michael Novak, Cal Thomas, Mona Charen, John O'Neill, Rich Lowry, Kate O'Beirne, and Jay Nordlinger—on the ***National Review 2006 Rhine River Charter Cruise.***

NR-ONLY LUXURY CRUISE LIMITED TO 170 GUESTS. PRICES START AT $3,999 P/P!

A relaxing journey down the glorious Rhine on the beautiful, new Viking *Helvetia II* is the best way to see Europe up close and in depth! Superior service, gourmet cuisine, elegant cabins, expert-led excursions—and the pleasure of traveling with an *NR*-only group—await you on our special trip. Prices are per-person, based on double occupancy, and include port fees, taxes, gratuities, group excursion, all meals, entertainment, and admittance to and participation in all *National Review* functions.

DELUXE SUITE



All staterooms on the beautiful new *Helvetia II* are a comfortable 155 square feet, and include a private bathroom and shower, TV, safe, hairdryer, air-conditioning, and come with a variety of window selections:

CATEGORY A French WIndows which open to small exterior river view landing, allowing you to stand outside and enjoy the lovely scenery (Upper Deck).

CATEGORY B Large wIndow with river view opens to let in fresh breezes and magnificent vistas (Middle Deck).

CATEGORY D Small wIndows with river view (Main Deck).

TO RESERVE YOR STATEROOM VISIT WWW.NRCRUISE.COM OR CALL 1-800-707-1634

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The National Review 2006 Rhine River Charter Cruise Application

Mail to: National Review Cruise, The Cruise Authority, 1307 Powers Ferry Rd., Marietta, GA 30067-5409 or Fax to 770-916-1425

Please fill out application completely and mail with deposit check or fax with credit-card information. One application per cabin. If you want more than one cabin, make copies of this application. For questions call The Cruise Authority at 800-707-1634.

Personal

Name #1 (full legal name) + informal name | Birthdate | Shirt Size (S-XXL)

Name #1 Citizenship | Passport Number | Expiration Date

Name #2 (full legal name) + informal name | Birthdate | Shirt Size (S-XXL)

Name #2 Citizenship | Passport Number | Expiration Date

Name #3 (full legal name) + informal name | Birthdate | Shirt Size (S-XXL)

Name #3 Citizenship | Passport Number | Expiration Date

Street Mailing Address

City | State | ZIP

( ) Daytime Phone

Email address

Payment

A deposit of $2,500 **per cabin** is due with this application. If paid by credit card, balance will be charged to *same* card on February 3, 2006 unless otherwise directed. If application is received after February 6, 2006, the full amount of cruise will be charged. Cabins and categories are available on a first come, first served basis.

☐ $2,500 **per cabin** deposit is included (checks payable to "National Review Cruise")

☐ Charge to: AmEx ☐ Visa ☐ MasterCard ☐ Discover

Card #

Expiration Date (Month) _____ (Year) _____

Authorized Signature of Cardholder/Guest

Information and price quote on Cancellation Fee Waiver/Medical Insurance will accompany your statement. Cancellation Penalty Schedule follows (cancellations must be received in writing by the date indicated):

PRIOR *to December 5, 2005 you will be charged $100 per person.* FROM *December 5, 2005-February 3, 2006, you will be charged $500 per person.* AFTER *February 3, 2006, the penalty is 100% of cruise/package.*

Air Travel

There are two options for booking air transportation for this cruise package.

OPTION 1: You may book your own air via whichever means you choose. Most importantly, plan to depart the U.S on Wednesday, May 3rd for a Thursday, May 4th arrival into Amsterdam. Transfers from the airport to our hotel are included in the cruise price, provided that The Cruise Authority is notified of your flight information. Return flights should be scheduled from Basel, Switzerland any time on the morning of Saturday, May 13th. Transfers will be provided from the riverboat to the Basel airport. Should you elect to schedule your return air from Zurich, Switzerland note that there is train service, and it is approximately 50 miles from Basel. Should you wish to utilize frequent flyer miles, note that these seats typically book up months in advance.

OPTION 2: The Cruise Athority will work with you to make all necessary arrangements for coach, business or first class air pertaining to this cruise. Contact Danet Trafton at dtrafton@the-cruise-authority.com (or call 1-800-707-1634) for a quote.

Pre- or Post-Cruise Customization

This *National Review* cruise package includes 2 nights in Amsterdam (May 4th & 5th) prior to the departure date of the riverboat on May 6th. Should you wish to arrive into Europe prior to this package, or extend your stay at the completion of the cruise, please contact The Cruise Authority travel specialists: Nancy Laudenschlager, nancyl@the-cruise-authority.com, or Danet Trafton, dtrafton@the-cruise-authority.com.

Cruise

(All rates are per person, double occupancy, and include all port charges and taxes, all gratuities, meals, entertainment, and *National Review* activities. Failure to appear for embarkation for any reason constitutes a cancellation subject to full penalties. Personal items not included.)

PLEASE CHECK ALL APPLICABLE BOXES!

I. CABIN CATEGORY *(see list and prices on previous page)*

First cabin category choice:_____ Second cabin category choice:_____

Bedding: Beds made up as ☐ Twin ☐ Queen

BOOKING SINGLE? ☐ Please try to match me with a roommate. (My age: ____)

If we cannot arrange a roommate or if a roommate cancels, single rates will apply.

II. AIR PACKAGE

☐ Please quote air from _____.

Class of Service: ☐ Coach ☐ Business Class ☐ First Class

☐ We will provide our own roundtrip air, but would like to arrange complimentary transfers (Plan to arrive in Amsterdam on May 4, 2006, and to depart after 12:00 NOON from Basel, Switzerland on May 13, 2006).

☐ I/We will reach the Amsterdam Marriott on our own.

III. AMSTERDAM HOTEL UPGRADES

☐ Upgrade to a Junior Suite for an additional $398 p/p Double Occupancy, or $846 for Single Occupancy.

IV. GENERAL INFORMATION

DINING: Please note that there is no smoking permitted in the *Viking Helvetia II* dining room. Dinner will be "open seating," with casual dress code.

V. PRE- AND POST-CRUISE PACKAGES

☐ I am interested in pre-and post-cruise travel information. Please forward me whatever information you have available.

VI. MEDICAL SITUATIONS

Are there any medical situations we should know about?

VII. SPECIAL EVENTS

Are there any special events we should know about?

Important!

Everyone cruising will be required to bring either a valid passport. Failure to do so may result in being denied boarding of your flight and the *Helvetia II*.

Responsibility: Notice is hereby given that the cruise advertised herein, including all tickets, vouchers and coupons issued and all arrangements for transportation or conveyance or for hotel or lodging or for sightseeing services are made by H20 Ltd. d/b/a The Cruise Authority (TCA) on behalf of *National Review*, as agency for Viking River Cruises (VRC), and/or service providers and/or suppliers providing services necessary for operation of the tour upon the express condition that TCA shall not be liable for injury, acts of terrorism, acts of war, declared or undeclared, damage, loss, accident, delay or irregularity to any tour participant or his or her property that may result from any act or omission of any company, contractor or employee thereof providing services in connection with the tour, including but not limited to transportation, lodging, food and beverage, entertainment, sightseeing, luggage handling and tour guiding. Furthermore, TCA cannot be held responsible for delays or costs incurred resulting from weather and road connections, breakdowns, acts of war declared or undeclared, acts of terrorism, strikes, riots, acts of God, authority of law or other circumstances beyond its control. In the event that a participant be entitled to a refund of monies paid, TCA will not be liable in excess of amount paid. TCA reserves the right to decline any persons as a tour participant at any time. TCA is not responsible for price increases imposed by VRC and/or service providers. Such increases may be implemented prior to deposit received. TCA is not responsible for breach of contract or any intentional or careless actions or omissions on the part of VRC and/or service providers, such as suppliers of tours or other services used or obtained on or at the time of the cruise or shore excursions, which result in any loss, damage, delay or injury to you or your travel companions or group members. TCA does not guarantee any of such suppliers rates, booking or reservations and TCA shall not be responsible for any social or labor unrest, mechanical or construction difficulties, diseases, local laws, climate conditions, acts of war, declared or undeclared, acts of terrorism, abnormal conditions or de-velopments or any other actions, omissions or conditions outside of TCA's control. TCA, nor *NR* shall be respon-sible for the accessibility, appearance, actions or decisions of those individuals promoted for this cruise. By embarking upon his or her travel, the traveler voluntarily assumes all risks, and is advised to obtain appropriate insurance coverage against them. Retention of tickets, reservations, or package after issuance shall constitute a consent to the above and an agreement on your part to convey the contents hereof to your travel companions.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

after all, "should we be governed by people long dead?"

Sunstein's position has radical anarchistic implications that he hastens to disguise. He claims that he is not arguing that the Constitution itself should not be taken as binding, but he can argue only that we ought to take it as binding "because it is good to take it as binding." But why can't we instead pick and choose the parts of the Constitution that we think would be good and disregard the others? Why, indeed, can't each of us reject the legitimacy of any law that we don't like and to which we personally did not consent? Sunstein is so desperate to combat originalism that he would destroy the law itself in the process.

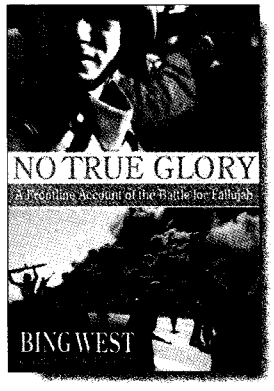
Sunstein's "political choice" to reject originalism rests on his assertion that "it would lead to intolerable consequences." Sunstein's real bone of contention is with the free play that originalism would give to the democratic process. Perhaps he is right that the operation of representative government within the bounds established by the Constitution might yield some very bad results. Alas, men are not angels. But our obligation as citizens is to respect the Constitution we have (or to seek to amend it) and to work responsibly through the democratic process to promote our own understandings of just public policy.

Sunstein's book is not devoid of merit. On a broad range of issues, he presents a serious challenge to the claim by some conservatives that originalism yields the legal position they advocate. It is, of course, an incidental virtue of originalism that it provides an objective standard for decision-making and therefore makes it possible to distinguish good originalism from bad originalism.

I also believe that a high standard of judicial proof, which Sunstein praises in his discussion of majoritarianism, should apply to originalist decision-making. If the Court is going to override the political process, it ought to do so only based on a convincing demonstration that the Constitution so requires, not on its mere best guess as to original meaning.

At bottom, though, nudging is not judging; and Sunstein fails to make a coherent case for minimalism over originalism. NR

Boots on the Ground



No True Glory: A Frontline Account of the Battle for Fallujah, by Bing West (Bantam, 400 pp., $25)

MACKUBIN THOMAS OWENS

I AM sorry to say that Americans have forgotten how to honor their war heroes. When I was growing up, everyone knew about Audie Murphy, the most decorated soldier of World War II, and John Basilone, the Marine who was awarded the Medal of Honor for Guadalcanal and was subsequently killed on Iwo Jima. No more. Americans have performed extraordinary feats of bravery in Iraq and Afghanistan, but who knows about them?

Vietnam changed things: The press, if not the American people, began to treat those who fought there as victims, not warriors. Even though many things have changed over the past three decades, the media today still seem reluctant to describe the bravery of American troops in Iraq. But as Francis J. "Bing" West observes in *No True Glory*, his remarkable new book about Fallujah, stories of soldierly courage deserve "to be recorded and read by the next generation. Unsung, the noblest deed will die."

Mr. Owens is an associate dean of academics and a professor of national-security affairs at the Naval War College in Newport, R.I. He is writing a history of U.S. civil-military relations.

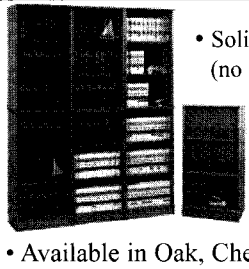
WHAT THEY'RE SAYING ABOUT
NRO
nationalreview ONLINE

"If you are ever in doubt as to the conservative position on a given issue and cannot listen to my radio show, consult NRO."
—Rush Limbaugh

"I visit NRO at least once every day, both for enlightenment and for pleasure. It's simply invaluable."
—Norman Podhoretz

www.nationalreview.com

FOUNDED 1964
Catholic Traditionalist Movement, Inc.
If you cannot physically attend a TRADITIONAL LATIN ROMAN CATHOLIC MASS, the next best thing is to join one spiritually by visiting AN INTERNET WEBSITE WITH AROUND-THE-CLOCK VIDEO LATIN MASS www.latinmass-ctm.org as presented by the CATHOLIC TRADITIONALIST MOVEMENT, INC.
Father Gommar A. De Pauw, J.C.D.
Founder - President
210 Maple Avenue
Westbury, New York 11590
Tel. (516) 333-6470
Fax. (516) 333-7535

Solid Hardwood Cabinetry

• Solid Hardwood (no veneers!)
• Modular design allows for expansion
• Available in Oak, Cherry & Walnut
• Ships fully assembled
SORICÉ 800-432-8005 www.sorice.com

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

West does his part, recording the breathtaking acts of heroism performed during the battle for Fallujah by Marines and soldiers, six of whom—Marine corporals and lance corporals—he honors on his dedication page. "Corporals are the backbone of the infantry," he writes, and Fallujah was an infantry battle. Technology played a role, but for the most part Fallujah was about Marines and jihadists slugging it out at close quarters. West observes that we will continue to need the infantry's efforts on the ground, but we continue to scrimp on our investment in this kind of warfare. "The U.S. military has more combat aircraft and pilots than infantry squads. The infantry squad deserves to be funded as a weapon system every bit as precious as an aircraft and its pilot."

No True Glory offers riveting descriptions of the fighting, but it also recounts the policy debates that caused events in Fallujah to unfold the way they did. The author is particularly well qualified to write such an account. As a Marine infantry officer who served in Vietnam, he understands what those Marines and soldiers were up against as Fallujah emerged as the central battlefield of the Iraq insurgency. As a former assistant secretary of defense, he understands the complex, interconnected roles of war and politics, especially in an era of instantaneous communications. Out of these disparate strands, he weaves a fascinating narrative.

West identifies four phases of the 20-month struggle for Fallujah. From the fall of Saddam in April 2003 until March 2004, U.S. forces attempted to apply classic counterinsurgency doctrine—winning the "hearts and minds" of the population of the Sunni city. But the Americans had too little money to spend for economic projects, and this generated resentment—which grew as the Americans responded to attacks with overwhelming firepower.

The second phase began in March 2004 with the lynching of four American security contractors. Their bodies were mutilated; two of them were hung from a bridge over the Euphrates. In response, President Bush ordered the 1st Marine Division, which had recently assumed responsibility for Fallujah from the 82nd Airborne Division, to seize the city. The Marines advised against the attack—they had an alternative plan for targeting those responsible for the atrocity—but they were overruled. As Marines always do, they saluted and said, "Aye, aye, sir." But just as the Marines were on the verge of finishing off the insurgents, they were ordered to halt their attack because of international outrage over televised images of the assault. For the next six weeks, the Marines besieged the insurgents, but fighting was inconclusive.

In the absence of any practical alternative, the senior Marine commander in the region worked out a plan to hand the city over to former Iraqi generals who claimed they could restore order: This was the third phase. But Fallujah descended into chaos, becoming the headquarters of Abu Musab al-Zarqawi, an arch-terrorist who turned the city into one big torture chamber from which he dispatched suicide bombers to other cities.

The fourth and final phase of the struggle for Fallujah began in the fall of 2004 when the Marines were once again ordered to seize the city. The terrorist force was twice as large as the one the Marines had encountered in April, and they had prepared their defenses well—but the Marines were able to "shape the battlefield" in a way that had not been possible in April, especially by maintaining control of the images transmitted around the world. In addition, the Iraqi leadership was on board this time—not keen to save the Sunni insurgents as they had been in April. The battle was fierce, but the insurgents were defeated.

West has nothing but praise for the Marines and soldiers who bore the brunt of Fallujah, but he is critical of the policymakers who put them in such a tough spot. He argues that the main problem for our fighters was the lack of unity of command. Ambassador Paul Bremer was responsible for determining U.S. policy in Iraq, and controlled the budget. But he did not direct the operations of U.S. military forces. Gen. John Abizaid, commander of Central Command, was responsible for U.S. military operations—but not for developing the Iraqi security forces. Critical decisions bounced back and forth; no single individual was responsible for them.

West contends that the president's decision to seize the city after the mutilation of the four contractors was also mistaken: It was based on emotion, not reason. Washington saw the event as "a symbol of America's humiliation and a challenge to the American occupation." The preferred Marine response was dismissed as insufficiently aggressive, given the outrage represented by the lynching of the contractors.

Unfortunately, the high-level policymakers who ordered the attack did not lay the strategic groundwork. There was apparently no discussion of how the Iraqi Governing Council or our allies might react once the attack was underway. The images transmitted by al-Jazeera conveyed the impression that that the Marines were indiscriminately targeting civilians; the impressions were false, but it didn't matter. Members of the Iraqi Governing Council threatened to resign if the attack was not called off and Tony Blair, Bush's strongest ally, came under pressure to convince him to stop it.

Another problem, writes West, was the failure to take into account that "every battle now has a global audience": For all our talk about information technology, the Americans lost the siege of Fallujah "on the playing fields of digital technology." As Lt. Gen. James Conway, the senior

LEGACY

WHAT WILL YOURS BE?

What will you bequeath to future generations? How will the ideals you cherish *now* be sustained *then*? Who will articulate your principles for the sake of your grandchildren, your faith, your community, and your country?

There is an answer.

With your help, *National Review* will endure as a powerful voice, sustaining those beliefs you hold dear. Now. And for future generations. As ever, standing athwart history, yelling Stop.

To obtain more information about remembering *National Review* in your will or estate, please contact:
National Review, Legacy
Attn.: James Kilbridge
215 Lexington Avenue, 4th Floor
New York, NY 10016
212-679-7330

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Marine commander, put it, "Al-Jazeera kicked our butts." (On the positive side, the Marines learned their lesson and the strategic-information preparation of the battlefield was far superior in November 2004 to what it had been in April.)

West contends that the most important lesson of Fallujah is clear: "When you send our soldiers into battle, let them finish the fight. Ordering the Marines to attack, then calling them off, then dithering, then sending them back in constituted a flawed set of strategic decisions. American soldiers are not political bargaining chips."

In April 2004, I, like Bing, was extremely critical of the decision to call off the attack on Fallujah. But what looked like an error at the time may have turned out for the best. It is important to remember that it then looked like the Coalition was about to confront the "perfect storm": a unified Sunni-Shiite "national front" manifest in the simultaneous uprising of Sunni insurgents in al-Anbar province west of Baghdad and Moqtada al-Sadr's Mahdi army to the south. Had the Americans continued the assault on Fallujah in April while Sadr's militia stirred up trouble in Shiite strongholds, the city could have emerged as a national symbol of resistance. In fact, the Marines went on the defensive in Fallujah while Sadr was crushed. By the time the Marines went back on the offensive, Fallujah had become a symbol of a different sort—a slaughterhouse where Sunni terrorists tortured and killed ordinary Iraqis. As West writes, "Fallujah appeared on nightly news reports to resemble the lair of the monster Grendel, a city of whippings, kidnappings, and beheadings." It may well be that the evolution of Fallujah from backwater to slaughterhouse contributed to the success of the Iraqi election in January 2005: If Iraq establishes a viable government, it may be because the terrorists of Fallujah, deluded into believing they had won in April 2004, overreached, earning the everlasting enmity of ordinary Iraqis who were their victims.

After Iwo Jima, Admiral Chester Nimitz, the commander of the Pacific Fleet, remarked that among the Marines and sailors who fought on the island "uncommon valor was a common virtue." So it is with those who fought in Fallujah. Bing West has told the story that these American fighters deserve. **NR**

Big Cheeses

La Belle France: A Short History, by Alistair Horne (Knopf, 512 pp., $30)

JOHN DERBYSHIRE

As a true-born Englishman, I took Francophobia in with my mother's milk—or, at any rate, with my mother's reflex response, when anyone mentioned our neighbors across the Channel, that "they let us down in the War." This settled in my infant mind as a sort of Homeric epithet: the French who-let-us-down-in-the-War. My father was even more astringent. He spent his declining years writing furious letters to the editor opposing British membership in the European Common Market, which he believed to be a French attempt to pick the pockets of honest Englishmen, and to obtain by guile what Napoleon had been unable to gain by force. Some years of experience in the world naturally broadened my outlook, but I still came to Alistair Horne's *La Belle France* bearing a good load of ancestral prejudice, that load fortified most recently by my colleague John J. Miller's book, a splendid Francophobic rant titled *Our Oldest Enemy*.

I cannot say that *La Belle France* left me feeling any better disposed towards the French, whose history appears to have been even more of a catalogue of massacres, miseries, and betrayals than I had previously thought. The book is, though, beautifully done. It is literate, fluent, informative, and often very funny. Above all, it displays the "iceberg effect" that one wants to see in a book of this sort. I mean, its effortless style of presentation quickly convinces the reader that the knowledge on display is the merest fraction of the author's stock. As an introduction to the history of what has been, however much we may deplore the fact, an important nation, Alistair Horne's book could hardly be better.

It is not an easy thing to encompass a millennium and a half of history in roughly 500 pages, and one expects that a certain amount of the earlier record, which is in

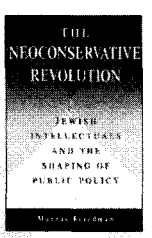
WHAT'S NEW FROM CAMBRIDGE?

THE RIGHT WAR?
The Conservative Debate on Iraq
Edited by Gary Rosen

"The ideas and controversies described in this striking book will go far to shape American foreign policy in the Bush years and beyond. Every serious student of American foreign policy needs to consult this fresh and comprehensive collection."
–Walter Russell Mead, Kissinger Senior Fellow in U.S. Foreign Policy, Council on Foreign Relations

Featuring contributions from:
Fouad Ajami, Andrew J. Bacevich, Max Boot, David Brooks, Patrick J. Buchanan, Eliot A. Cohen, Robert F. Ellsworth, Francis Fukuyama, Reuel Marc Gerecht, Victor Davis Hanson, Owen Harries, Robert Kagan, Charles R. Kesler, Henry A. Kissinger, Charles Krauthammer, William Kristol, James Kurth, The Editors of National Review, *Norman Podhoretz, Gary Rosen, Dimitri K. Simes, Andrew Sullivan, George F. Will, and Fareed Zakaria*
$65.00/ Hb/ 0-521-85681-7
$19.99/ Pb/ 0-521-67318-6

THE NEOCONSERVATIVE REVOLUTION
Jewish Intellectuals and the Shaping of Public Policy
Murray Friedman



"Murray Friedman captures not only the political firepower of the neo-con movement but also its remarkable – and often unrecognized – impact. [This book] is the perfect guide to understanding modern conservatism."
–Fred Barnes, Executive Editor, *The Weekly Standard*
$29.00/ Hb/ 0-521-83656-5

Now in paperback!
AMERICA ALONE
The Neo-Conservatives and the Global Order
Stefan Halper and Jonathan Clarke

"[Halper and Clarke's] thoughtful, insightful work spans ideological and partisan differences, a rare phenomenon in these times... the argument never has been put together so persuasively, so conclusively and so effectively."
–*Washington Post*
$14.99/ Pb/ 0-521-67460-3

Available at better bookstores

CAMBRIDGE UNIVERSITY PRESS
www.cambridge.org/us

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

any case pretty grim, will be skipped over lightly, in the interest of providing full coverage of the modern period. Yet Horne manages to give a fair account of all the important medieval rulers, with 15 full pages on King Philippe Auguste (reigned 1180–1223), a person previously known to me only indirectly, from Bellini's lovely opera about the monarch's sequestered wife. Henri IV gets a whole chapter, as of course does Louis XIV. From the Revolution onwards, nothing of importance is omitted.

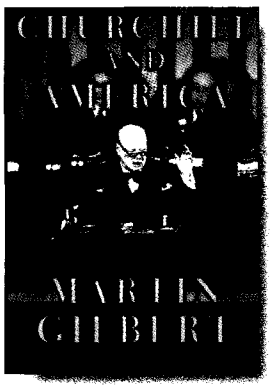
Though the author is writing narrative history, not political science, he is illuminating about the differences in development between France and her rival across the Channel. Why did the French never develop a robust parliamentarianism? Conversely, why did absolute monarchy "take" in France, but not—never, not really—in England? One key factor was the sheer size of the French population. Horne notes that in the early years of Louis XIV, France had 18 million people, compared with England's 5½, Spain's 6, Austria's 6½, and Russia's 14. Another was what the author calls France's "prodigious combination of climate and incredibly fertile land," which permitted her to bounce back quickly from national misfortunes. (Horne quotes Sully: "Tilling the soil and keeping flocks—these are France's paps, the real mines and treasures of Peru.") The rulers of a nation endowed with great natural wealth simply have less need of their people, or of their people's approval, as the history of the modern Middle East illustrates. They can be more detached from mere facts, and may display positive astonishment when flashes of reality dawn on them, like socialist president François Mitterand's sudden insight, in 1984, that "it is the firm that creates wealth, it is the firm that creates employment." *Quelle révélation!* (Though it is not clear that the rulers of France, even now, really believe this.)

How quotable the French are, though! Most of the best apothegms are well enough known, even to us Francophobes, but it is satisfying to see them placed in their historical context, and the author never lets us down by missing one. Here is Louis XI sighing that "knowledge makes for melancholy." Here is the Marquis d'Ancre's widow at her burning exclaiming: "What a lot of people to see a poor woman die!" It turns out that Henri IV may *not* have said that Paris was worth a Mass, but it is pretty certain that Talleyrand did scoff at the the Bourbons for having learned nothing and forgotten nothing. (And the old cynic was still at hand 15 years later when the beleaguered Charles X groaned: "I see no middle way between the throne and the scaffold." Talleyrand: "Your Majesty forgets the post-chaise!") Here is Napoleon describing sexual love as "an exchange of perspirations." Here is an anonymous guest at the grand ball held to kick off the Algerian conquest, telling the Duc d'Orléans that "we are dancing on a volcano." Here is Charles de Gaulle wondering how he could be expected to govern a country that has 246 varieties of cheese . . . And so on. Seeing these quotes in context is the milder sort of pleasure, the pleasure of the familiar, but Horne was right to put them all in.

You can't please everyone, of course. My own pet peeve is that the author did not give over a page or two to France's brilliant mathematical tradition—the principal reason, so far as I am concerned, for thinking that France has not been a complete waste of time and space. Until the rise of the Germans in the 19th century, France practically owned math. Augustin-Louis Cauchy's entry in the *Dictionary of Scientific Biography* covers 17 pages, the same as Gauss's. (And Cauchy was a great reactionary, as well as a great mathematician.) This magnificent tradition reaches far back, too. The flamboyantly gay Henri III, who reigned 1574–89, cannot be counted one of France's more serious-minded monarchs, given as he was to showing up at court functions in drag; but he enjoys the imperishable glory of having employed François Viète, the greatest trigonometrist of the age, and the inventor of modern algebraic symbolism. A brief mention wouldn't have gone amiss.

All in all, though, this is a fine book, the perfect thing for anyone whose knowledge of French history is fragmentary, and who would like to see the fragments set in place in an instructive and entertaining narrative. *La Belle France* is a most enjoyable read, written by a scholar filled with love for his subject, who yet wears his learning lightly. **NR**

Grand Alliance



Churchill and America, by Martin Gilbert (Free Press, 528 pp., $30)

DAVID PRYCE-JONES

When Winston Churchill died in 1965, he was almost certainly the most famous man in the world. Ever since, as he slips out of living memory and into history, he has remained as famous as ever, an undisputed champion of Western democracy who in perilous times stood up to Nazism and Communism. Churchill wrote his own massive account of the events in which he had played so decisive a part. As is only to be expected where such a world-historical figure is concerned, innumerable others have weighed in, and there are debates about this, that, and the other issue in his career, in particular some of his wartime military judgments and the postwar future as he imagined it.

About the time of Churchill's death, Martin Gilbert began his special task of chronicling the great man's long life. By now, he has published thousands of pages and millions of words in huge volumes of biography and documentary supplements. With a scholar's thoroughness, he excavates the archives, and in addition seems to have spoken to everyone and anyone who has some relevant anecdote or incident to record. The procedure and the devotion speak for themselves. Evidently he is awarding Churchill the preeminent place in the Pantheon of Great Men that he believes he deserves, and about which argument is superfluous. In this perspective, a

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

CLAREMONT REVIEW OF BOOKS

"It is a joy to read the *Claremont Review of Books.*"
Victor Davis Hanson

"Pick up the smartly conservative *Claremont Review of Books.* Insiders say the White House orders over two dozen of each issue of the quarterly journal."
U.S. News & World Report

"For lovers of conservatism, books, or both, this journal is a must."
National Review

"Each issue constitutes a virtual education in politics."
Power Line Blog, *Time Magazine*'s Blog of the Year

VOLUME V, NUMBER 3, SUMMER 2005
CLAREMONT
REVIEW OF BOOKS
A Journal of Political Thought and Statesmanship
Victor Davis Hanson: Our Shameful Universities
Charles A. Lofgren: Wartime Internment
F. Carolyn Graglia: Woman's Work
John C. Eastman: Clarence Thomas's Life
Jaroslav Pelikan: Robert Alter's Torah
Michael Anton: Tom Wolfe on Campus
Adam Wolfson: President Bush's Unusual Foreign Policy
Allen C. Guelzo, et al.: Was Lincoln Gay?
Douglas A. Jeffrey: Charles McCarry's Spy Novels
Anthony Esolen: Petrarch's Poetry
AND THE WALLS CAME TUMBLING DOWN
Wm. F. Buckley, Jr., and the American Conservative Movement
by Michael M. Uhlmann
Also reviews by
Andrew E. Busch, Kenneth Minogue, and William A. Rusher
PRICE: $4.95
IN CANADA: $6.25

The *Claremont Review of Books* offers bold arguments for a reinvigorated conservatism, which draws upon the timeless principles of the American Founding and applies them to the moral and political problems we face today.

CALL OR E-MAIL FOR A FREE SAMPLE COPY!

(909) 621-6825

NRCRB@CLAREMONT.ORG

THE CLAREMONT INSTITUTE

PUBLISHER OF THE *Claremont Review of Books*

937 West Foothill Boulevard, Suite E, Claremont, CA 91711
(909) 621-6825 (909) 626-8724 FAX WWW.CLAREMONT.ORG

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

chronicle of the facts in chronological order substitutes for making any case that might need to be made.

Churchill and America, his latest book, brings together everything that correlates the two proper nouns of the title. In a very high proportion of the footnotes here, Gilbert is quoting from his own previous biographical volumes and documentary supplements. Here, in short, is a compendium.

Evidently Churchill had a romantic idea of America. Many Englishmen of his generation—witness Kipling—welcomed what they saw as America's approaching future as a great power. But perhaps Churchill was specially influenced by his American mother, Jennie Jerome, and her distinguished New York family. Certainly he claimed to be part-American when it suited him. Gilbert says that the mother was a confidante and helper, "furthering his plans and ambitions as best she could." He also quotes an ambiguous sentence Churchill wrote: "I loved her dearly—but at a distance." And he leaves it at that.

In 1895 Churchill made the first of what were to be 16 visits to the United States in his lifetime. He was to form lasting friendships with influential Americans such as the politician Bourke Cochran and the financier Bernard Baruch. Not everybody was impressed by the rising British star. President Theodore Roosevelt wrote to his ambassador in London, "I do not like Winston Churchill." Early visits nonetheless laid the foundation for profitable lecture tours and writing assignments. A day was to come when he would receive the colossal advance of $1.15 million from Time-Life for serialization rights to his memoirs.

Churchill's fixed view of America's potential to be a benign and decisive factor in Europe began to take practical expression during World War I. By then a member of the war cabinet, he seems to have believed that victory was possible only with American participation in the field. He criticized subsequent American failure to send troops to oppose the Bolshevik revolution, and then to join the postwar League of Nations. Gilbert makes it plain that on all sorts of further issues, large and small, Churchill fought the British corner while making sure never to take any step that might damage partnership with the United States, which he saw as essential to peace.

The development of this partnership with FDR under the shadow of Hitler shaped the modern world. At first, FDR thought that Churchill had once been personally rude to him, and he never quite got over the suspicion that Churchill was a bit of a showman, too easily carried away by his imagination and therefore in the last resort maybe brilliant but not really sound. Becoming prime minister in 1940, Churchill had to take care not to present Britain's plight too darkly for fear of implying that the country was beyond saving from Hitler; yet anything less than dramatization risked creating damaging complacency and delay in Washington. Gilbert shows how Churchill walked this fine line, deploying the full range of rhetoric to amplify determination as well as to cry for help, and time and again putting himself out physically for the face-to-face meetings with FDR that he so much relied on to obtain what he wanted.

The several clashes of opinion between Churchill and FDR are reasonable subjects of dispute to this day—for instance, over the terms of Lend-Lease; over the landings in North Africa, Sicily, and Italy; over the possible advancement of D-Day to 1943; and over the decision to leave the capture of Berlin and Prague to the Soviets. Above all, at the time of the Yalta conference in 1945, the diverging approach of the two democratic leaders to Stalin and Soviet imperialism had tragic long-term consequences. Through the turmoil, and then in the Truman and Eisenhower years, Churchill clearly hoped to retrieve what he could, but inwardly accepted that the United States had become the world power Britain had been in his youth.

The extracts from telegrams and correspondence and memoirs are duly and readably ordered on these pages. As is his customary style, Gilbert passes no judgment for or against what was done or left undone. Not a mere matter of complying with academic scruple, such abstention provokes the question, What is the point of writing history? Is it just to get the facts straight, or does the study of the past serve a higher purpose of distinguishing right decisions from wrong, and so help to avoid making the same mistake twice? Gilbert's readers will certainly be well informed, but they will be none the wiser for it. **NR**

■ SHELF LIFE ■

Distant Echoes

MICHAEL POTEMRA

In ***Victory in Tripoli: How America's War with the Barbary Pirates Established the U.S. Navy and Shaped a Nation*** (Wiley, 276 pp., $24.95), Washington-based writer Joshua E. London tells an exciting story of the War on Terror—circa 1800. The Mediterranean pirates were demanding tribute from U.S. vessels; little over a decade into the existence of the new federal government, an American administration struggled over how to respond. President Thomas Jefferson understood, early on, what was necessary: "I know that nothing will stop the eternal increase of demands from these pirates but the presence of an armed force." But there would be much failure and frustration before victory finally came. Indeed, while the "Shores of Tripoli" are remembered to this day in the Marine Corps hymn, America's triumph there in 1805 did not put an end to the pirates' terrorism; further U.S. force would prove necessary. London's fascinating account gives us cause for hope that even long, twilight struggles can, after twists and turns of ugly politics, end in victory.

■ Is the European megastate destined to be America's rival, or even enemy? Rockwell A. Schnabel, U.S. ambassador to the European Union from 2001 to 2005, is among the most astute observers of European affairs, and he urges American policymakers to resist Europhobia. In ***The Next Superpower? The Rise of Europe and Its Challenge to the United States*** (Rowman & Littlefield, 199 pp., $22.95), written with Francis X. Rocca, Schnabel says not just that European integration is

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

here to stay but that it is not "in America's interest to undermine the EU project." By rejecting a "divide and conquer" strategy against the Continent, and instead "confirming our partnership with a united Europe," we may be able to encourage the EU to move toward greater economic freedom—and that would certainly be in the U.S. interest. "The costs of damage to our $2.5 trillion annual commercial relationship," Schnabel says, "are grim to contemplate."

■ The irrepressible Dick Morris is back with a highly entertaining scenario for 2008. In ***Condi vs. Hillary: The Next Great Presidential Race*** (Regan, 336 pp., $25.95), Morris and his wife, Eileen McGann, describe a potential battle of the titans between Sen. Hillary Clinton and Secretary of State Condoleezza Rice. Hillary, of course, has experience in electoral politics, but—say the authors—Rice could win, somewhat as Eisenhower did in 1952.

■ The *joie de vivre* of Catholicism is well captured in ***The Bad Catholic's Guide to Good Living: A Loving Look at the Lighter Side of the Catholic Faith, with Recipes for Feasts and Fun*** (Crossroad, 216 pp., $14.95), by John Zmirak and Denise Matychowiak. The authors—respectively, a journalist and a prominent chef—prove that irreverence is compatible with true piety as they gallop through Catholic ideas, anecdotes . . . and recipes appropriate for various days in the religious calendar. The book often rises to the level of laugh-out-loud funny, and observes the Catholic scene with wit and insight—as in this description of a 1993 poll on the Real Presence of Christ in the Eucharist: "Among Catholics under thirty, [the] percentage [of believers in this doctrine] dropped to 17 percent. The rest held that Jesus is present in a shadowy, symbolic fashion—a smiling ghost like Abraham Lincoln at a refrigerator closeout on Presidents' Day."

■ ***The Day Without Yesterday: Lemaître, Einstein, and the Birth of Modern Cosmology*** (Thunder's Mouth, 256 pp., $24), by John Farrell, tells the story of how a remarkable Catholic priest/scientist, Georges Lemaître, figured out—before Einstein did—that the universe was expanding. **NR**

■ CITY DESK ■

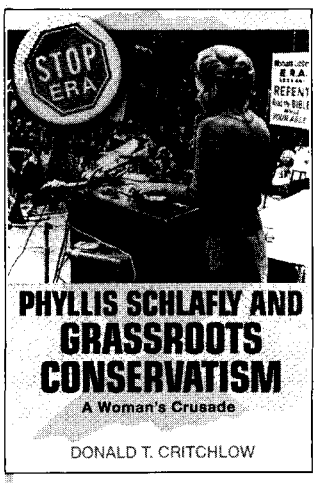
The Hunt Is On

RICHARD BROOKHISER

THE truest statement I ever read in the *New York Times* came from one of their inserts on Men's Fashions. If you have a long plane flight and want to travel light, they said, wear black jeans. For all but the toniest occasions, they will do for dress or suit pants, especially if you're someplace dark (a restaurant at night). A long flight loomed before me, but thanks to bad planning my black jeans were in a washing machine. I had to pick up a spare pair. No problem for Gotham, one-time capital of the rag trade. Everything else productive may have flown, but we still sell books and clothing.

First stop was the Gap, right around the corner. Everyone knows the Gap. There was a time, as with many enterprises, when the Gap was a little interesting—low-end marketing with a difference. More likely, its main attraction was mere newness. It survives on volume, and offering the kind of dependability escalators have. My wife and I wove through Gap for Kids and Gap for Women (always take a woman when walking past the underwear mannequins of the latter, or you'll feel like a cross-dresser). We came to Gap for Men, and saw the first sign of trouble: dozens of jeans, none of them black.

Black is important to New Yorkers because it is what people wore to parties in *The Age of Innocence*; it is the color of the sky when we're active; it is a symbol of our many negations—of the mainland,



PHYLLIS SCHLAFLY AND GRASSROOTS CONSERVATISM

A Woman's Crusade

Donald T. Critchlow

Longtime activist, author, and antifeminist leader Phyllis Schlafly is for many the symbol of the conservative movement in America. In this provocative book, historian Donald Critchlow sheds new light on Schlafly's life and on the role her grassroots activism played in transforming America's political landscape.

"Richly researched and elegantly written ... [a] gem of a book."—Ira Katznelson, author of *When Affirmative Action Was White*

"In this timely and wonderfully researched book, Critchlow has provided us an invaluable guide."—Jane Sherron De Hart, University of California, Santa Barbara

Politics and Society in Twentieth-Century America
William Chafe, Gary Gerstle, Linda Gordon, and Julian Zelizer, series editors
Cloth $29.95 0-691-07002-4

Celebrating 100 Years of Excellence
PRINCETON *University Press*
800-777-4726
Read excerpts online
www.pup.princeton.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

STATEMENT OF OWNERSHIP, MANAGEMENT, AND CIRCULATION
(required by 39 U.S.C. 3685)

1. Publication Title: NATIONAL REVIEW

2. Publication Number: 374-120

3. Filing Date: September 26, 2005

4. Issue Frequency: Bi-weekly

5. Number of Issues Published Annually: 24

6. Annual Subscription Price: $59.00

7. Complete Mailing Address of Known Office of Publication: 215 Lexington Avenue, New York, N.Y. 10016-4188

7A. Contact Person: Jason Ng

7B. Telephone: (212) 849-2829

8. Complete Mailing Address of the Headquarters or General Business Office of Publisher: 215 Lexington Avenue, New York, N.Y. 10016-4188

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor: Publisher: Edward A. Capano, 215 Lexington Avenue, New York, N.Y. 10016-4188; Editor: Richard Lowry, 215 Lexington Avenue, New York, N.Y. 10016-4188; Managing Editor: Jay Nordlinger, 215 Lexington Avenue, New York, N.Y. 10016-4188

10. Owner: National Review, Inc., 215 Lexington Avenue, New York, N.Y. 10016-4188; Constitutional Enterprises Corporation., 215 Lexington Avenue, New York, N.Y. 10016-4188

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 percent or More of Total Amount of Bonds, Mortgages, or Other Securities: None

13. Publication Title: NATIONAL REVIEW

14. Issue Date for Circulation Data Below: October 15, 2001

15. Extent and Nature of Circulation:

	Average no. copies of each issue during preceding 12 months	Actual no. copies of single issue published nearest to filing date
A. Total Number of Copies	186,105	170,900
B. Paid and/or Requested Circulation 1. Paid/Requested Outside-County Mail Subscriptions Stated on Form 3541	167,208	153,709
2. Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Paid Distribution	8,583	8,025
C. Total Paid and/or Requested Circulation	175,791	161,734
D. Free Distribution by Mail 2.In-County as Stated on Form 3541	1,145	1,148
E. Free Distribution Outside the Mail	417	428
F. Total Free Distribution	1,562	1,576
G. Total Distribution	177,353	163,310
H. Copies not Distributed	8,752	7,590
I. Total	186,105	170,900
J. Percent Paid and/or Requested Circulation	99%	99%

16. Publication of Statement of Ownership: Will be printed in the October 24, 2005, issue of this publication.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner

JASON NG
Circulation Manager 9/26/05

God, normality; it is the sign par excellence of exclusivity (white is the fusion of all colors, black is the absence of any). For there to be no black jeans was like there being no yellow cabs. We went up the street to Club Monaco.

Club Monaco is the Gap with a whiff of Europe; a very wispy whiff—the steam from a generic-chain latte, rather than the smoke of an exhaust-pipe French cigarette. It's like Monaco, a fake maintained for business reasons. But the pants can be put on one leg at a time; the zippers zip. (A young woman once said there were two things she did not understand: how zippers worked, and what Bernard Baruch did.) I'm buying jeans to steal a sartorial base and save money and effort; Club Monaco is the perfect partner in such an enterprise. But one more time, black drew a blank.

For there to be no black jeans was like there being no yellow cabs.

Time to leave Fifth Avenue for Sixth. Here we would surely strike black gold. A century ago lower Sixth Avenue was Ladies' Mile, a chain of cast-iron Venetian palazzos where New York women bought their clothes. Business fled, and for years the buildings squatted, huge and decrepit, like Miss Havisham's wedding cake. In the endless quest for real estate they were rediscovered and repainted, until they bustle on weekends like hives. We sought Old Navy. Since I gave Club Monaco a hard time, I must not let Old Navy escape. There is the perfect focus-group brand name. What is it meant to evoke? Old salts? A navy that is old? A navy that uses leaky old ships? There is nothing old or naval about any of their wares. But the name rolls off the crocodile brain that controls saliva, and credit-card use, and so a brand was born. Jeans live in the basement, stacked on huge shelves like computer paper at Staples or pallets of spackle at Home Depot. Like stout Cortez I stared at dozens, hundreds of jeans, of many colors—except black.

Things were getting desperate. Check-in was only a few hours away. Time for TJ Maxx. TJ Maxx disposes of odd lots of stuff, a lot of it junk, some of it bizarre, sometimes just what you need. For years we have done land-office business with green majolica plates. I had always hurried past the wan metal racks of clothes, averting my eyes as from a bum; their unfashionableness elicited both sympathy and shame. Here, finally, were black jeans, very good ones too: Donna Karan and Marithé et François Girbaud. They were also about size 80. No wonder their retail parents had abandoned them. The Sixth Avenue crowds began to seem sinister, perhaps mocking. What were they buying if there were no black jeans? The desperate fox turns back on his track to throw off the encroaching hounds. We returned to Fifth Avenue.

Our fifth stop was J. Crew. Prepdom at two removes, the commodity of a commodity: J. Crew is to Brooks Brothers as Brooks Brothers is to bespoke. I only describe, I do not mock. I have bought many things at J. Crew, especially at their outlet stores, and worn them into the ground, and I went to Irondequoit High School, miles and worlds from old gray stones. They had some interesting stuff—candy-stripe belts, like neckties with buckles. I made a mental note, but I saw no black jeans.

Kenneth Cole is Mario Cuomo's son-in-law. It shows in his good works—charity, voter registration—ostentatiously noted in clever signs. We the customers are asked to approve. But suppose the customer is right-wing; what happened to the notion that the customer is always right? I swallow the thought, for there, on the second floor, are black jeans. Excellent ones, too, though not ideal. They look real good—but isn't looking real good in jeans unmanly? They cost three times what I was expecting to pay. In truth, they were faded black. Any port in a storm.

The salesman is knowledgeable and active (he fetched them from stock). Why had they been so hard to find?

"They are very Nineties."

Young man, I am upholding an eternal essence, not making ad-copy talkie-talk about decades. I am maintaining the great traditions of a great city, not trying to connect with Newt and Monica and Sidney Blumenthal. Where are you from—Rochester? That's where I'm from, but I'm a New Yorker now. With black jeans. **NR**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

classified advertisements

BUSINESS OPPORTUNITIES

$400 WEEKLY ASSEMBLING PRODUCTS. For free information, send SASE: Home Assembly—NR Box 216, New Britain, CT 06050-0216

Capitalize on the Billion Dollar Tea Industry! 302-246-0296 or www.delawarecafe.com

BUSINESS SERVICES

Corporate finance advice—experienced investment banking perspective
Expert financial witness testimony for corporate litigation

Roberts Brokaw LLC

home.comcast.net/~rbrokaw2/rbllc.html
rbrokaw@mba1974.hbs.edu

FOR SALE

IT COULD BE VERSE

1407 entries to amuse & mayhaps abuse • wholesale whimsy • rhymed rebuffs • salty satire

Mail a $10 & a $5 to Whymsy Inc.
Box 1869, Jackson Hole, WY 83001
Money back if not entranced • Send back book, $ returned

see them on our website!

Historic Posters

quality reproductions from pre-WWI to Gulf War II
800-377-8707
www.postersinc.com

NR REPRINTS AVAILABLE

"The War On Drugs Is Lost" ($1.70)
"The 100 Best Conservative Movies" ($1.50)
(Please add 50 cents for shipping and handling.)
Send to: NATIONAL REVIEW
215 Lexington Avenue,
New York, N.Y. 10016
Specify selection.

HELP WANTED

Orthodox Catholic College on the West Coast seeks a

DIRECTOR OF DEVELOPMENT

with broad experience in general development work and donor relations.

The successful candidate will be a team player but able to work independently, be a self-starter, and have a strong work ethic. The position will require extensive national travel visiting donors in theri homes and places of business.

Competitive salary. Excellent benefits.

Qualified applicants, please send resume, references and salary history to:

DevelopmtDir@aol.com

HOTELS

SAVE on hotels and resorts.
www.BidonTravel.com

ALL-SUITE COMFORT IN THE HEART OF FOGGY BOTTOM

Enjoy unique comfort and style in our cozy, tree-lined residential neighborhood.

- Spacious suites with full kitchens
- Tastefully renovated with quality furnishings
- Two blocks from GWU/Foggy Bottom Metro
- Complimentary high-speed internet access
- The acclaimed *DISH* restaurant on-premises

888-874-0100

THE·RIVER·INN
924 25th Street, NW • Washington DC 20037
THERIVERINN.COM

"Rated One of New York City 'Best Value' Hotels." ... *Zagats*

New York's all suite hotel is located in the heart of the city, near corporations, theatre & great restaurants. Affordable elegance with all the amenities of home.

MURRAY HILL EAST SUITES
149 E. 39th St. (Bet 3rd & Lex) New York, NY 10016
Reservations 1-800-248-9999
Ask about our special National Review rates.

LITERARY

BECOME A PUBLISHED AUTHOR. QUALITY SUBSIDY PUBLISHER ACCEPTING MANUSCRIPTS. 1-800-695-9599.

PUBLISHING

CONSERVATIVE PUBLISHER SEEKS POLITICALLY INCORRECT MANUSCRIPTS. EDITOR READS ALL SUBMISSIONS. 541-459-6043.
ELDERBERRYPRESS.COM

WEBSITES

WEIRDREPUBLIC.COM—Demolishing liberal mythology, one stupid myth at a time.

SUPPLY-SIDERS GALORE

NRO Financial: Larry Kudlow, Donald Luskin, Victor Canto, and many more. Every day at: www.nationalreview.com

CLASSIFIED INFORMATION

Rates: $4.50 per word (10-word min). Phone number, zip code, all permitted abbreviations (P. O. Box, S.A.S.E., etc.) count as one word.
Discounts: 4 times, $4.00 per word; 6 times, $3.75 per word; 8 or more times, $3.50 per word.
Display Ads: Minimum 1 inch, maximum 9 inches (vertical). Width 2 1/4 inches. One time, $225 per column inch; 4 times, $200 per column inch; 8 times, $185 per column inch; 10 or more times, $175 per column inch. Camera-ready art (to size) must be provided. Display rates apply to Classified section only.
NR Box Numbers: $10 additional (one-time only charge). When responding to an NR Box number, Address: NR Box ___, c/o Kevin Longstreet, NATIONAL REVIEW, 215 Lexington Ave., New York, N.Y. 10016. Letters will be forwarded by first-class mail.
To Order: Full payment in advance by check, money order (payable to NATIONAL REVIEW), MasterCard, or Visa (include expiration date). Address: Kevin Longstreet, NATIONAL REVIEW, 215 Lexington Ave., New York, N.Y. 10016. Fax: 212-696-0340. Tel. 212-679-7330.
Deadlines: Every other Friday (approx. 6 days before the magazine is printed).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

on the right

WILLIAM F. BUCKLEY JR.

The Roberts Disruption

A FEW years ago, checking in with the office, I was told I had a telephone call from Norman Lear. I immediately returned it, and probably my voice quavered. The very thought of being in personal touch with the producer of *All in the Family*! My all-time favorite television program. "What," I asked unctuously, "can I do for you?"

"Well," he said, "I would like you to be the keynote speaker at the annual banquet of People for the American Way."

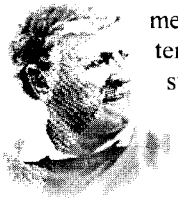
I wondered how Archie Bunker would have responded to such a request, mutatis mutandis. If I had the powers of Carroll O'Connor to register bewilderment/surprise/stupefaction, the expression on my face would have flowed, coast to coast, over the telephone line.

"Mr. Lear—"

"Norman."

"Well, Norman, it wouldn't be right for me to address People for the American Way."

Why not? he asked. All I had to do was give a speech about free speech.



It was with difficulty that I explained to him that his organization was devoted in almost all matters to promoting the opposite of what I have spent my life championing.

He seemed genuinely surprised. And in this morning's papers I read that he called together his circle in Hollywood to register his dismay at the nomination of John Roberts to serve on the Supreme Court. After Senator Leahy announced that he would vote to confirm Roberts, Mr. Lear's—Norman's—organization described that decision as "inexplicable." The news story recounting the event went on to report that "some Democratic activists are already warning that these votes could affect turnout in the 2006 midterm elections."

"It's not right," as Archie would say, to engage in tu quoque argumentation, but I break the rule to say that, talking of inexplicability, it is very close to that to suggest that any vote against Judge Roberts is motivated by anything at all except rank and mindless opposition to anything proposed by President Bush. The qualifications of Judge Roberts are clear beyond any reasonable question. Short of repealing that clause in the Constitution that gives the president authority to nominate members of the Supreme Court, how else deny Roberts?

What is in the political wings is something like an early polarization among Democrats. Sen. Edward Kennedy is pretty steadfast as an undeviating leftist, and although Judge Roberts was tender as a lamb in replying to his questions during the hearings, Roberts, speaking extemporaneously, did everything this side of taking Senator Kennedy's written text and correcting its historical errors, to treat him as an informed interrogator. But there were a half dozen Democratic senators waiting to follow Kennedy's lead.

It is too early to know whether the effort at consolidating the Democratic party in its left-lurch is going to succeed. It is a polarization without, at this moment, hard resistance from the center. Senator Leahy said he would support Roberts, but managed to appease the Left by saying unpleasant things about the judge's record. Several senators are being courted by the Left, among them Durbin and Schumer and Lautenberg, and there will be a substantial vote in opposition.

It has the dawning feel of the separatism of 1947–48. The hard Left back then pressed for either appeasement of the Soviet Union, or else submission to it. They had a candidate then—Henry Wallace—and don't have one now. Senator Kerry's ungoverned hostility to President Bush edges him toward supremacy among the Bush haters, but it is not clear that these are definitely en route to governing the Democratic party. What cause would the Left seek out, in a bid for national control first of the Democratic party, then of the nation? Norman Lear is not, for all his affability and innocence, the stuff of which grand secessions are made. He is more in the school of Kerensky than of Lenin. And it is too early to discern what will be the vote of Democrats at large on the matter of John Roberts's nomination. If Roberts were to fail of confirmation, then a political front would have opened up.

But Roberts, inexplicable as it may be, isn't going to fail, so the Democrats will not be able to use him as the great cause for dissension from the American way.

Church/State at Dartmouth

THE whole business of whether public schools can permit "intelligent design" to be acknowledged as an alternative to Darwinian evolution in explanation of human life will begin democratic exercises in a courtroom in Pennsylvania this week. There are regular flashpoints on this matter of the separation of church and state. Some of them test out constitutional questions, others merely modi vivendi. A week ago Noah Riner, the president of the Dartmouth Student Assembly, ran into the wrath of orthodox hardliners.

What happened was a convocation welcoming the freshman class to Dartmouth College. The student president traditionally speaks at these convocations, and this time it was the young man from Louisville, Ky., who uttered what turned out to be an inflammatory couple of sentences. He told the freshmen that the mere imparting of knowledge is less than what a college education should seek to do for students. The development of character is the higher goal. "Character has a lot to do with sacrifice, laying our personal interests down for something bigger. The best example of this is Jesus. . . . He knew the right thing to do. He knew the cost would be agonizing torture and death. He did it anyway. That's character."

That violation of secularist decorum brought on great indignation. A petition drive against the young student body president is contemplated. A vice president of the Student Assembly wrote to him, "I consider your choice of topic for the convocation speech reprehensible and an abuse of power. You embarrass

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the organization, you embarrass yourself." A sophisticated defense was tendered by a Jewish student who wrote, "Many of us in the Dartmouth community proudly disagree with that and other aspects of Riner's religious beliefs, but our disagreements do not give us the right to limit his speech."

Riner himself gave a shrewd appraisal of the nature of the taboo. "The problem is not that Dartmouth has a formalized speech code. That would be easy to deal with, and easy for students to break. The problem is that Dartmouth has a speech culture, where some topics are off limits and some perspectives shouldn't be uttered. [Such] speech restriction is much more difficult to break—as I have recently discovered."

A few years ago the president of Dartmouth, dedicating the Jewish culture center, said that Dartmouth had a history of anti-Semitism, for which the college sought to shrive itself. Such prejudice was widespread before the Second World War, and the effort to expunge it engaged attention in the university world so high as to court the danger of drifting into a de facto prejudice against Christian expressiveness, as young Mr. Riner discovered. An effort was made (I wrote an op-ed for the *New York Times* and gave a lecture at Dartmouth) to make the sensible distinction: to eliminate anti-Semitic discrimination should not require the rejection of Christian traditions. The opposite could be held, inasmuch as a Christian who practices discrimination violates not only federal law, but also Christian law.

But as with the quarrel over the mere mention of intelligent design, the distinction struggles for air. The planted axiom being encouraged by the secular community is that an acknowledgment of biological evolution not only acquiesces in scientific certitudes, it cannot coexist with any thought of intelligent design. And this is true no matter how many metaphors are introduced ("we don't mean Noah actually got all living creatures into an ark . . .") to concede the morganatic difference between intelligent design and Darwinian evolution. Those at Dartmouth who objected to Mr. Riner's obeisance to Jesus acted as though he were bent on repealing the First Amendment. It wasn't as if he had been appealing to restore Dartmouth's original charter—which called for Christianizing the Indians.

Well, his experience helps him, and others, to develop the character, courage, and faith he sought to celebrate.

Escaping Catastrophe

THE dispatches are full of accounts of varying accommodations to the hellfire in the Gulf, myriad people making myriad decisions, some staying in town, some leaving, some returning, some beginning to reconstruct, others razing what is left. It is ten million such decisions that will give us the vector of the post-Katrina Gulf Coast. That is the American way, and always it makes its way past grandiose collective plans, even as the war against poverty is fought and won by individuals learning a trade and finding a niche for their skills and ambition. When they have neither skill nor ambition, they have indigence and helplessness.

The public clamor tends to be over averting such catastrophes as Katrina, and here we have, at a complementary level, the problem of big-think solutions, even as we have such problems relating to an escape from poverty. The politicians and planners are talking about emergency plans to handle hypothetical attacks on any part of the United States. One excited commentator said on television a week ago that Manhattan was a fine example of a center that simply could not make plans for mass evacuations "because, you see, there are only a handful of bridges leading out of Manhattan."

So what does one do when a situation arises that calls for escape routes for a million and a half people? The doctors know about extravasation, the ingenuity of capillaries that spring to life to carry the blood around the blocked impasse. There would be successful evacuees from a nuclear attack on Manhattan, but these would be comparable to escapees from a concentration camp. There are such, and they are testimonials to the ingenuity of man because they are finite examples of extraordinary luck and determination. They attract attention because they did the impossible. You cannot plan to transmute the presumptively impossible into the possible.

I knew a lady (one would not call her less than that) who was enormously resourceful and determined. She decided about 30 years ago that she should prepare for the travails she thought entirely reasonable in the war she anticipated with the Soviet Union. To protect herself, her husband, her five children, and her staff of four servants, she ordered canned food that would sustain them for two years. Water was a problem, but she decided to convert her swimming pool into tanks from which she could draw a gallon per person per day for five years.

You can't convert such self-provisioning into national planning. We face the reality that there is no way to provide shelter for the majority against attacks on great scales. If there had been Katrina-like catastrophes not confined to a single location, but running down the entire perimeter of the continent, we'd have been left substantially helpless. Note: "substantially" helpless—the cautionary word that provides for the individual exception, the man who escaped from Auschwitz, the sole survivor of a shipwreck. There will always be such, and every August we are given on television glimpses of survivors of the Hiroshima bomb, moving their quavering lips, but reminding us that survival is possible for individuals, not for whole populations. In the 1960s Gov. Nelson Rockefeller preached the doctrine of private bomb shelters to guard against nuclear fallout. For a season it appeared the all-American thing to do. But after a while, the whole exercise seemed listless, and bomb shelters became not musketpieces of the determined American frontiersman, but museum pieces of ideologues' fancies.

So the beginning of wisdom is to abandon hope of keeping America whole against such ferocities as are associated with Katrina-scale assaults on us. Encourage logical precautions, and look for available circumspections. But don't expect manuals at hand, written by federal agents, which tell us how to defy gravity.

—UNIVERSAL PRESS SYNDICATE

"I'm tuckered out—just create them all equal."

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

happy warrior

MARK STEYN

Undiscussable

In the mood for a "national conversation about race"? Me neither. America has many delightful attributes, but the ability to discuss race honestly is not one of them. Instead, it has an ongoing pseudo-discussion of race. You know the sort of thing: A District of Columbia official gets fired for using the word "niggardly" in a budget meeting; Rep. Sheila Jackson Lee complains about the racist nomenclature of hurricanes.

The latter was back in 2003, when Congresswoman Jackson Lee argued that blacks are being discriminated against because hardly any devastatingly destructive meteorological phenomena are given African-American names. The black community can't relate to some white-bread wind like Hurricane Andrew. Why are there never any Hurricane Leroys? It's deeply racist and insulting to imply that only forces of nature with effete WASPy appellations are capable of inflicting billions of dollars of coastal damage.

Oddly enough, Hurricane Sheila did not reprise this argument when Karl Rove's secret Republican wind machine sent the racist Hurricane Katrina zapping in to take out New Orleans. And, as with most of these "controversies," Republicans are well advised to steer clear. The guy fired for using the word "niggardly" was a gay Democrat, and, while one sympathizes with the poor fellow, it's easiest to chalk up the episode to the internal contradictions of the Rainbow Coalition and leave it at that.

But, even by the pitiful standards of these ersatz scandals, what happened to William Bennett the other day was pathetic. Responding to a call on the subject of abortion to his radio show, Bennett observed:

"It's true that if you wanted to reduce crime, you could. If that were your sole purpose, you could abort every black baby in this country, and your crime rate would go down. That would be an impossible, ridiculous, and morally reprehensible thing to do, but your crime rate would go down."

Needless to say, by the time assorted Democrat bigwigs and other professional grievance-mongers were e-mailing in their "outrage" over the second of those three sentences, the third was nowhere in sight. I first heard of the "scandal" on NPR's hourly news bulletin, and they too made no mention of the third sentence, preferring to quote the Rev. Jesse Jackson's criticism of Bennett's pretensions to "moral leadership." Please, no tittering.

But never mind that. Bennett's point is uncontestable:

Fact: The bulk of crime in virtually every jurisdiction on the planet is committed by young men and teenagers. So, fewer young persons = less crime.

Fact: Given that young black men are significantly overrepresented among the prison population—a point John Kerry and other Democrats point out incessantly, as though incarceration rates were unrelated to crime-participation rates—a reduction in black birthrates would affect the statistics far more than a reduction in, say, Asian-American birthrates.

Obviously, it's unfair to black men to frame the issue in those terms: Not every aborted African American would have grown up to be a criminal. Which, of course, is an argument against abortion: We're all capable of rising above the disadvantages we're born into—as long as we're born in the first place. More important, even though it's true that reducing the number of young people reduces the crime rates in your society, if you reduce them too dramatically—as they've done in Europe and Japan—you'll wind up with no society. Having children increases the risk they'll be sticking up the local convenience store in 20 years' time. Not having children increases the risk there'll be no convenience store in 30 years' time.

So when you set aside moral objections to abortion, the utilitarian approach is a question of balance. Abortion doesn't fall on all fetuses equally. In China and other Asian cultures, it lowers the pool of girl babies, resulting in very disproportionately male societies. Thus, "a woman's right to choose" leaves you with a lot fewer women to choose from. Even in America, not all women exercise their right to choose equally: The abortion rate for black women is four times higher than that for white women. "A woman's right to choose" has become, like so many other "progressive" causes, an issue in which one's enthusiasm for it is inversely proportional to one's engagement with it. For middle-class female Democrats, "a woman's right to choose" is like "Free Tibet": a bumper sticker that appropriates some other crowd's problem for the purposes of advertising your moral superiority. Ashley Judd and Cameron Diaz can jump up and down demanding their "right" to "choice" at the big rally in Washington, but in the less fashionable *quartiers* of the city they're not the ones exercising that "choice," such as it is.

Bill Bennett explicitly rejected as "reprehensible" the hypothetical mass abortion of black babies, and the usual charlatans, race-baiters, and shakedown artists jumped all over him. But the statistics suggest that that mass abortion of black babies is actually going on, and their community's self-appointed spokespersons are largely silent. You can't blame Howard Dean for preferring to beat up Bill Bennett. Nor can you blame the official racism industry, now so large and lucrative and employing so many highly remunerated panjandrums from the Reverend Jackson down that it has a far greater interest than the Ku Klux Klan in maintaining old-school racism. But even the most cursory glance at the facts suggests an ever wider divergence of interest between two key pillars of what's left of the Democrats—the self-congratulatory white liberals and the black-lobby fodder.

If this country ever does have an honest "national conversation on race," it will be between these two parties, and the fury of one at the other will be the nearest Sheila Jackson Lee gets to a genuine African-American hurricane. **NR**

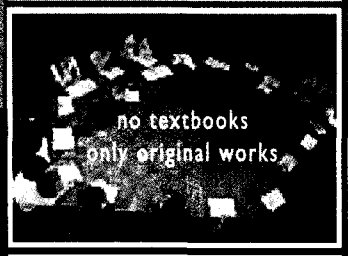
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"In such a relativist horizon . . . an authentic education is not possible. Without the light of truth sooner or later every person is condemned to doubt the goodness of his own life . . . ."

POPE BENEDICT XVI

small seminars and labs

10:1 student faculty ratio



students from 41 states,
6 countries

a rich sacramental life

Seek the truth in the works of the most influential poets, scientists, mathematicians, philosophers and theologians of Western Civilization.

It can be found.

THOMAS AQUINAS COLLEGE

800 • 634 • 9797
www.thomasaquinas.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Attend the 2005 Legal Reform Summit. October 26, 2005

While you're busy growing your business, remember that trial lawyers are busy doing the same. In recent years, the plaintiffs' bar has been perfecting its business model, aimed at generating more lawsuits and more profits.

Come to the 2005 Legal Reform Summit to learn the latest in litigation trends and how to keep from becoming a target of the expanding trial lawyer industry. Go online for the complete schedule, highlights and speakers.

Reserve your seat today and keep the bull's-eye off your business.

Join us for the Sixth Annual Legal Reform Summit, Wednesday, October 26, at the U.S. Chamber of Commerce.

Hosted by the U.S. Chamber Institute for Legal Reform and the National Chamber Foundation and sponsored by The Doctors Company and Mayer, Brown, Rowe & Maw LLP.

To register, call 202.463.5500 or visit www.instituteforlegalreform.org.

www.instituteforlegalreform.org

The U.S. Chamber of Commerce and the U.S. Chamber Institute for Legal Reform,
1615 H Street, NW, Washington, DC 20062-2000

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED